

PHA Plans

5 Year Plan for Fiscal Years 2001 - 2005

Annual Plan for Fiscal Year 2001

**NOTE: THIS PHA PLANS TEMPLATE (HUD 50075) IS TO BE COMPLETED IN
ACCORDANCE WITH INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICES**

May 7, 2001

SUMMARY OF 5 Year/1 Year Agency Action Plan
FY 10/1/01-9/30/02

Access to Information: Main Office of the Marquette Housing Commission, 316 Pine Street, Marquette, MI. 49855 906/226-7559

Mission Statement: to provide safe, sanitary, affordable housing to low and moderate individuals and families; and to promote responsibility and self-sufficiency of residents while maintaining the fiscal integrity of the agency.

Goals: Apply for additional rental vouchers, 2003 -2004
Reduce public housing vacancies
Improve public housing management
Increase customer satisfaction (Resident surveys)
Renovate and modernize public housing units, 200 1-2005
Improve office space and common corridors to benefit the residents (currently no privacy is afforded residents for recerts, applications, reporting incidents, etc.).
Implement measures to deconcentrate poverty by bringing higher income public Housing households into lower income developments
Implement public housing security improvements
Increase the number and percentage of employed persons in assisted families.
Provide/attach supportive services to improve assistance recipient's employability and to increase independence for elderly or families with disabilities
Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status, disability, sexual preference, lawful source of income.
Undertake affirmative measures to provide a suitable living environment free of discrimination.

We are filing a Streamlined Plan because we are a High Performing PHA (93.7)

Grievance Procedure
Follow-Up Plan•
Board Resolution
Advisory Board Members

Attachments to the Plan will include:

Admissions and Continued Occupancy Plan Administrative Plan
Capital Fund Comp Grant Annual Statement/Performance & Evaluation Report
Progress Report, 52825
Capital Fund, 5 Year/1 Year Agency Action Plan
Summary of Accomplishments, FY 2001
Certification of Consistency with States Consolidated Plan

Certification of Payments to Influence Federal
Transactions
Certification for a Drug Free Workplace

Housing Needs of Families on the Waiting List (combined Section 8 & public housing)

Total:	25
Extremely low income (income under \$8,400/year)	18
Very low income (between \$8,400 and \$14,000/year)	6
Low income (between \$14,000 and \$22,400)	1
Families with children	10
Elderly families	2
Families with disabilities	2
Caucasian	23
Black	1
Indian	1

The waiting list is not closed. The waiting list is site-based. Applications are available at the main administrative office (316 Pine), LSV management office and at the Domestic Violence Shelter, mental Health, Homeless Shelters, TANF, University, churches, Women's Center, hospital, Senior Citizens Center and will soon be on the Web.

Applicants are given three choices before being placed at the bottom of the list.

Preferences are given to working families and those unable to work because of age or disability, veterans, residents who live and/or work in the jurisdiction, elderly/disabled for Pine Ridge and near elderly for Pine Ridge.

Strategies: Maximize the number of affordable units available to the PHA within its current resources by:

- Employ effective maintenance/management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Maintain or increase Section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction.
- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies such as the Homeless Coalition's Continuum of Care.
- Exceed HUD Federal targeting requirements for families at or below 30% of AMI in public housing.
- Adopt policies to support and encourage work (20% deduction on employment income, travel expense deduction, deduction for child or spousal support paid for another family outside the household, medical insurance deduction now included in ACOP)
- Employ admissions preferences aimed at families who are working
- If necessary, refer applicants to other low-income programs in area

Reasons for selecting strategies:

Staffing constraints

Extent to which particular housing needs are met by other organizations in the Community

Influence of the housing market on PHA programs

Financial Resources for 10/1/01-9/30/02 (expected)

Public Housing Operating Fund	\$532,000
Public Housing Capital Fund	\$507,936
ACC for Section 8 Vouchers	\$141,464
Resident Opportunity & Self-Suff. Grants (Ameritech)	\$ 38,341
Prior Year Fed. Grant (unobligated)	\$375,172
Dwelling Rental Income	\$456,767
Laundry Revenue	\$ 6,177
Roof Rent	\$ 4,200
Investment Interest	\$ 53,129
Total	\$2,116,083

PHA Policies Governing Eligibility, Selection & Admissions:

Eligibility of applicants is verified when families are within a certain number of being offered a unit and at initial application.

Screening factors that we apply for public housing include a criminal or drug-related activity, rental history, housekeeping, credit history, landlord references, character references. We request criminal records from local law enforcement, State law enforcement and the FBI.

Transfer Policies: Emergencies, over housed, under housed, medical justification, administrative reasons (to permit modernization work), and to permit a family needing accessible features to move to a unit with such a feature.

Reference materials available to applicants and residents for information about the rules of occupancy:

Dwelling Lease

Admissions and Continued Occupancy Policy (ACOP)

Administrative Plan for Section 8 Voucher Program

Briefing seminars, Resident Handbook

Grievance Procedure

Brochure

Internet (soon)

Residents must report changes in income, assets, medical expenses and family composition within ten (10) days of the change and at annual recertification.

Deconcentration Requirements do not apply to the Marquette Housing Commission because elderly developments are exempt and we have only one family site.

Screening for Section 8 Voucher Program includes drug-related activity, credit history, sex offender. This information is shared with the landlord if requested.

Applications and information pertaining to the Section 8 Voucher Program are available At the Marquette Housing Commission main office, 316 Pine Street, and soon on the Web. Preferences are given to working families and those unable to work because of age or disability, veterans and veterans' families, residents who live and/or work in our jurisdiction, those enrolled currently in educational, training, or upward mobility programs, date and time of application, residents who live and/or work in our jurisdiction.

Public Housing Residents have a choice of Income-Based Rent or Flat Rent. A \$25 minimum rent with hardship exemption is available. Income set-aside rules apply. Ceiling rents do not exist.

Flat Rents (Payment Standards) are determined by the Section 8 rent reasonableness study of comparable housing and a survey of rents listed in the local newspaper.

Payment Standards for the Section 8 Program are currently at or above 90% but below 100% of the FMR for three bedrooms, above 100% by at or below 110% of the 1 and 2 bedrooms. We are currently applying for an exception rent for the one-bedroom units. Our payment standards reflect market conditions and are re-evaluated once every 2 years or as needed. Adequacy of our payment standards are based on the success rates of assisted families, rent burdens of assisted families and unassisted market rents.

Yes, we give extensions beyond the standard 60-day period to find a suitable unit.

At year end (9/30/00) we were serving 237 public housing families and 45 families under the Section 8 Voucher Program. Expected turnover for public housing is 101 units and For Section 8, 17.

Management and Maintenance Policies include the following:

ACOP	By Laws
Capitalization Policy	Check Signing Policy
Community Service Policy	Community Space Policy
Criminal/Drug Treatment, Registered Sex Offender Policy	Disposition Policy
Records Management Policy	Equal Housing Opportunity Policy
Drug Free Workplace Policy	Funds Transfer Policy
Ethics Policy	Policy on Harassment
Grievance Procedure	Minority Business Enterprise Policy
Investment Policy	Pet Policy
Personnel Policy	

Procurement Policy
 Resident Initiatives Policy
 Travel Policy
 Maintenance Plan
 Hazardous Materials Policy

Public Records Policy
 Smoking Policy
 Administrative Plan
 Maintenance Schedule

CAPITAL FUND PROGRAM ANNUAL STATEMENT (10/1/01-9/30/02)

Management Improvements (Youth Center/Day Care Center)	\$80,000
Fees and Costs	\$25,000
Site Improvement	\$35,221
Dwelling Structures	\$290,000
No dwelling Structures	\$77,715
TOTAL	\$507,936

For Pine Ridge:

Parking	\$35,221
Encapsulate concrete block/brick walls in corridors, remove incinerator and convert to dumpster use, improve basement entrance area (security issue), revise offices to allow for resident privacy	\$77,715
Seal building	\$10,000
LSV: Storage sheds, siding, patios, canopies, clotheslines, storm doors, soffit, fascia	\$280,000
HA-Wide Management	\$80,000
A&E	\$25,000

5 YEAR PLAN — 2002 to 2005

Management Improvements (Youth Center/Day Care Center)	\$ 290,000
A&E	\$ 100,000
PR: Encapsulate concrete block/brick walls (2002-05)	\$ 280,000
Replace common space windows (2002-03)	\$ 73,600
Bathtubs, waste piping, shut-off valves, faucets, modules(2003-05)	\$ 212,284
TOTAL over next 5 years	\$ 565,884
LSV Upgrade building exteriors, vinyl siding, canopies, Patios, fascia, soffits, clotheslines(2002-04)	1,030,000
Upgrade kitchens (cabinets)(2004-05)	45,860
TOTAL over next 5 years	1,075,860

The Marquette Housing Commission has no desire to demolish any of its units, does not plan to engage in any mixed-finance development activities, nor conduct any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement, nor a Homeownership Program. However, in FY 2000 the MHC experienced a murder-suicide in one of our family units and could not rent it (applicants

refused). We badly needed office space at the site, so, with resident support, we applied and received approval to deprogram one two bedroom unit at Lake Superior Village. Not only does this unit now provide needed Housing Manager space, it houses a satellite office for the Marquette Police Department — on site.

PHA Safety and Crime Prevention Measure Needs:

- Residents fearful for their safety and/or the safety of their children

- Observed lower-level crime, vandalism and/or graffiti

- People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime.

To gather this data we relied upon safety and security comments made by residents, PHA employee reports, police reports and demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs.

Crime and Drug Prevention activities we have undertaken or plan to take in the next FY include: Activities targeted to at-risk youth, adults or seniors

- Volunteer Resident Patrol-Block Watch/Neighborhood Watch Programs

- Police satellite office at family development

- Brightening up rear basement entrance, installing windows at area

- Evict problem tenants

Police have established a physical presence at our family site and we regularly meet with law enforcement.

Resident Advisory Board Recommendations (to date):

- For Pine Ridge, make rear basement entrance less scary, card key locking system instead of traditional keys, range vent, emergency buzzer in bedroom, get rid of cigarette smoke, phone in parking lot pre-set to call 911, remove double tub in laundry rooms and substitute one tub with a second dryer and awning over rear entrance.

- For Lake Superior Village, write into policies that a resident cannot sue the HC if their dog bites someone; for Dwelling Lease, add not to store things on storage shed roof, that kids can be without footwear in their yards and to require curtains (not sheets, blankets, etc) on windows.

Response to Recommendations:

- For Pine Ridge, we have budgeted in the Capital Fund Program to make improvements to the rear basement entrance, we will look in to the card key system and emergency buzzers in bedrooms. We have had one suspicious incident in our parking lot and that does not justify the expense of a phone system pre-set for 911. An awning over the rear entrance will be considered another funding period. Under general operations we will fund increasing the capacity of the fan that connects to our ventilation system and having the venting professionally cleaned that should resolve the cigarette smoke problem. I will research cost to change laundry room

double-tub with a single and install a second dryer (will then fund through a future general fund.

For LSV we have incorporated the comments in the ACOP and Dwelling Lease with the exception of a provision that residents not be permitted to sue the MHC if their dog bites someone. We cannot legally sign away a person's right to sue.

Resident Advisory Board Process: Residents were invited to meetings to become a member and, as of April 11, 2001, for Pine Ridge we have 25 and for LSV we have 5. Both have chosen not to elect officers and to have management set up and run the meetings.

PHA Plan Agency Identification

PHA Name: MARQUETTE HOUSING COMMISSION

PHA Number: MI 070 02

PHA Fiscal Year Beginning: 10 2001

Public Access to Information

Information regarding any activities outlined in this plan can be obtained by contacting: (select all that apply)

- ☒ Main administrative office of the PHA
- ☒ PHA development management offices
- ☐ PHA local offices

Display Locations For PHA Plans and Supporting Documents

The PHA Plans (including attachments) are available for public inspection at: (select all that apply)

- ☒ Main administrative office of the PHA
- ☒ PHA development management offices
- ☐ PHA local offices
- ☐ Main administrative office of the local government
- ☐ Main administrative office of the County government
- ☐ Main administrative office of the State government
- ☐ Public library
- ☐ PHA website
- ☐ Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

- ☒ Main business office of the PHA
- ☒ PHA development management offices
- ☐ Other (list below)

5-YEAR PLAN

PHA FISCAL YEARS 2001 - 2005

[24 CFR Part 903.5]

A. Mission

State the PHA's mission for serving the needs of low-income, very low income, and extremely low-income families in the PHA's jurisdiction. (select one of the choices below)

☒ The PHA's mission is: (state mission here) The mission of the Marquette Housing Commission is to provide safe, sanitary, affordable housing to low and moderate individuals and families; and to promote responsibility and self-sufficiency of residents while maintaining the fiscal integrity of the agency.

B. Goals

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHAs may select any of these goals and objectives as their own, or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, **PHAS ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF SUCCESS IN REACHING THEIR OBJECTIVES OVER THE COURSE OF THE 5 YEARS.** (Quantifiable measures would include targets such as: numbers of families served or PHAS scores achieved.) PHAs should identify these measures in the spaces to the right of or below the stated objectives.

HUD Strategic Goal: Increase the availability of decent, safe, and affordable housing.

- ☒ PHA Goal: Expand the supply of assisted housing
Objectives:
- ☒ Apply for additional rental vouchers: 2003-04
 - ☒ Reduce public housing vacancies:
 - ☐ Leverage private or other public funds to create additional housing opportunities:
 - ☐ Acquire or build units or developments
 - ☐ Other (list below)
- ☒ PHA Goal: Improve the quality of assisted housing
Objectives:
- ☒ Improve public housing management: (PHAS score) from 92.0 to 93.7
 - ☐ Improve voucher management: (SEMAP score)
 - ☒ Increase customer satisfaction: RE:SURVEYS
 - ☐ Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)
 - ☒ Renovate or modernize public housing units: 2001-2005
 - ☐ Demolish or dispose of obsolete public housing:
 - ☐ Provide replacement public housing:
 - ☐ Provide replacement vouchers:
 - ☒ Other: (list below) Improve office space and common corridors to benefit the residents. (currently no privacy is afforded residents for recerts, applications, reporting incidents, etc.)
- ☒ PHA Goal: Increase assisted housing choices

Objectives:

- ☐ Provide voucher mobility counseling:
- ☐ Conduct outreach efforts to potential voucher landlords
- ☐ Increase voucher payment standards
- ☐ Implement voucher homeownership program:
- ☐ Implement public housing or other homeownership programs:
- ☐ Implement public housing site-based waiting lists:
- ☐ Convert public housing to vouchers:
- ☒ Other: (list below)
EXPAND SUPPLY OF RENTAL VOUCHERS 2003-04

HUD Strategic Goal: Improve community quality of life and economic vitality

- ☒ PHA Goal: Provide an improved living environment

Objectives:

- ☐ Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
- ☒ Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
- ☒ Implement public housing security improvements:
- ☐ Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
- ☒ Other: (list below)
Police have set up a satellite office at LSV in a deprogrammed unit. We have also invited a member of the Police Department or Sheriff's Office to occupy a public housing unit at this site. They are considering it.

HUD Strategic Goal: Promote self-sufficiency and asset development of families and individuals

- ☒ PHA Goal: Promote self-sufficiency and asset development of assisted households

Objectives:

- ☒ Increase the number and percentage of employed persons in assisted families: 75% - 87 families
- ☒ Provide or attract supportive services to improve assistance recipients' employability: Job skills training, Day Care Center, Youth & Family Center
- ☒ Provide or attract supportive services to increase independence for the elderly or families with disabilities.
- ☐ Other: (list below)

HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans

- ☒ PHA Goal: Ensure equal opportunity and affirmatively further fair housing Objectives:
- ☒ Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
 - ☒ Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:
 - ☐ Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
 - ☐ Other: (list below)

Other PHA Goals and Objectives: (list below)

Annual PHA Plan
PHA Fiscal Year 2000
 [24 CFR Part 903.7]

i. Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

☐ **Standard Plan**

Streamlined Plan:

- ☒ **High Performing PHA**
- ☐ **Small Agency (<250 Public Housing Units)**
- ☐ **Administering Section 8 Only**

☐ **Troubled Agency Plan**

ii. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

DNA

Provide a brief overview of the information in the Annual Plan, including highlights of major initiatives and discretionary policies the PHA has included in the Annual Plan.

Our major initiatives center around exterior improvements at Lake Superior Village to draw more applicants to that site by improving it's exterior appearance. At Pine Ridge we are concentrating on making common spaces more attractive plus improving security in the building.

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

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6. Grievance Procedures	mi070i02
7. Capital Improvement Needs	mi070s01., 30-34, 50-53
8. Demolition and Disposition	N/A
9. Designation of Housing	N/A
10. Conversions of Public Housing	N/A
11. Homeownership	N/A
12. Community Service Programs	N/A
13. Crime and Safety	N/A
14. Pets (Inactive for January 1 PHAs)	mi070w01
15. Civil Rights Certifications (included with PHA Plan Certifications)	--
16. Audit	--
17. Asset Management	N/A
18. Other Information	--

Attachments

Indicate which attachments are provided by selecting all that apply. Provide the attachment's name (A, B, etc.) in the space to the left of the name of the attachment. Note: If the attachment is provided as a **SEPARATE** file submission from the PHA Plans file, provide the file name in parentheses in the space to the right of the title.

Required Attachments:

- ☒ Admissions and Continued Occupancy Policy – Revised 5/4/01, mi070a02
- ☒ FY 2001 Capital Fund Program Annual Statement (mi070x01)
- ☐ Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

Optional Attachments:

- ☒ PHA Management Organizational Chart (Previously submitted)
- ☒ FY 2001 Capital Fund Program 5 Year Action Plan (mi070x01)
- ☐ Public Housing Drug Elimination Program (PHDEP) Plan
- ☒ Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text) – Included in plan, pages 46-47
- ☒ Other (List below, providing each attachment name)
 - Membership of Resident Advisory Board- mi 070t01
 - Recommendations of RAB & manner in which we addressed recommendations, Pages 46-47
 - Capital Fund Program Annual Statement/Performance & Evaluation Report – Mi070s01, 8 pages

Supporting Documents Available for Review

Indicate which documents are available for public review by placing a mark in the “Applicable & On Display” column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan mi 070c02	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP] mi 070a02 Revised 5/01	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan mi070q02 Revised 3/13/01	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Public Housing Deconcentration and Income Mixing Documentation: N/A 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work</i>	Annual Plan: Eligibility, Selection, and Admissions Policies

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	<i>Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	
X	Public housing rent determination policies, including the methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy mi 070a02	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy mi 070a02	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan mi070q02	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation) Previously submitted.	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy mi070i-02	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan mi070q02	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year mi070s02	Annual Plan: Capital Needs
X	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant mi070s02	Annual Plan: Capital Needs
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option) mi070x01	Annual Plan: Capital Needs
N/A	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
N/A	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
N/A	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
N/A	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
N/A	Policies governing any Section 8 Homeownership program <input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
N/A	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
N/A	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
N/A	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
N/A	The most recent Public Housing Drug Elimination Program (PHDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), Previously submitted by Auditor	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
N/A	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)
X	Summary of accomplishments FY 2001 Mi070u01	

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

A. Housing Needs of Families in the Jurisdiction/s Served by the PHA

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data available to the PHA, provide a statement of the housing needs in the jurisdiction by completing the following table. In the "Overall" Needs column, provide the estimated number of renter families that

have housing needs. For the remaining characteristics, rate the impact of that factor on the housing needs for each family type, from 1 to 5, with 1 being “no impact” and 5 being “severe impact.” Use N/A to indicate that no information is available upon which the PHA can make this assessment.

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford- ability	Supply	Quality	Access- ibility	Size	Loca- tion
Income <= 30% of AMI	881	4	4	4	4	1	1
Income >30% but <=50% of AMI	720	3	3	2	2	1	1
Income >50% but <80% of AMI	677	1	1	1	1	1	1
Elderly	666	1	1	1	1	1	1
Families with Disabilities	N/A	--	--	--	--	--	--
Race/Ethnicity	N/A	--	--	--	--	--	--
Race/Ethnicity	N/A	--	--	--	--	--	--
Race/Ethnicity	N/A	--	--	--	--	--	--
Race/Ethnicity	N/A	--	--	--	--	--	--

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

- ☒ Consolidated Plan of the Jurisdiction/s
Indicate year: 2000
- ☒ U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset
- ☐ American Housing Survey data
Indicate year:
- ☐ Other housing market study
Indicate year:
- ☒ Other sources: (list and indicate year of information)
6-7, 1991 DEMOGRAPHIC & ECONOMIC TRENDS FOR MI’S UPPER PENINSULA COUNTIES BY NORTHERN DATA RESEARCH INSTITUTE

B. Housing Needs of Families on the Public Housing and Section 8 Tenant- Based Assistance Waiting Lists

State the housing needs of the families on the PHA’s waiting list/s. **Complete one table for each type of PHA-wide waiting list administered by the PHA.** PHAs may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance <input type="checkbox"/> Public Housing <input checked="" type="checkbox"/> Combined Section 8 and Public Housing <input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional) If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	25		96
Extremely low income <=30% AMI	18	72	
Very low income (>30% but <=50% AMI)	6	1	
Low income (>50% but <80% AMI)	1	4	
Families with children	10	40	
Elderly families	2	10	
Families with Disabilities	2	8	
Race/ethnicity C	23	92	
Race/ethnicity H			
Race/ethnicity Blk	1	4	
Race/ethnicity A.Indian	1	4	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	10	71	51
2 BR	2	14	22
3 BR	1	7	17
4 BR	1	7	6
5 BR	--	--	--
5+ BR	--	--	--

Housing Needs of Families on the Waiting List

Is the waiting list closed (select one)? ☒ No ☐ Yes

If yes:

How long has it been closed (# of months)?

Does the PHA expect to reopen the list in the PHA Plan year? ☐ No ☐ Yes

Does the PHA permit specific categories of families onto the waiting list, even if generally closed? ☐ No ☐ Yes

C. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:

Select all that apply

- ☒ Employ effective maintenance and management policies to minimize the number of public housing units off-line
- ☒ Reduce turnover time for vacated public housing units
- ☒ Reduce time to renovate public housing units
- ☐ Seek replacement of public housing units lost to the inventory through mixed finance development
- ☐ Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- ☒ Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- ☐ Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- ☐ Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- ☐ Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- ☒ Participate in the Consolidated Plan development process to ensure coordination with broader community strategies Continuum of Care
- ☐ Other (list below)

Strategy 2: Increase the number of affordable housing units by:

Select all that apply

- ☐ Apply for additional section 8 units should they become available

- ☐ Leverage affordable housing resources in the community through the creation of mixed - finance housing
- ☐ Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- ☐ Other: (list below)

Need: Specific Family Types: Families at or below 30% of median

Strategy 1: Target available assistance to families at or below 30 % of AMI

Select all that apply

- ☒ Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- ☐ Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- ☐ Employ admissions preferences aimed at families with economic hardships
- ☒ Adopt rent policies to support and encourage work pg. 29 of ACOP
- ☐ Other: (list below)

Need: Specific Family Types: Families at or below 50% of median

Strategy 1: Target available assistance to families at or below 50% of AMI

Select all that apply

- ☒ Employ admissions preferences aimed at families who are working – pg. 18 of ACOP
- ☒ Adopt rent policies to support and encourage work pg. 29 of ACOP
- ☐ Other: (list below)

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

- ☐ Seek designation of public housing for the elderly
- ☐ Apply for special-purpose vouchers targeted to the elderly, should they become available
- ☒ Other: (list below) IF NECESSARY, REFER TO OTHER LOW-INCOME PROGRAMS IN AREA.

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

- ☐ Seek designation of public housing for families with disabilities
- ☐ Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- ☐ Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- ☐ Affirmatively market to local non-profit agencies that assist families with disabilities
- ☐ Other: (list below)

Need: Specific Family Types: Races or ethnicities with disproportionate housing needs

Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:

Select if applicable

- ☐ Affirmatively market to races/ethnicities shown to have disproportionate housing needs
- ☐ Other: (list below)

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

- ☐ Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- ☐ Market the section 8 program to owners outside of areas of poverty /minority concentrations
- ☐ Other: (list below)

Other Housing Needs & Strategies: (list needs and strategies below)

(2) Reasons for Selecting Strategies

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- ☐ Funding constraints
- ☒ Staffing constraints
- ☐ Limited availability of sites for assisted housing
- ☒ Extent to which particular housing needs are met by other organizations in the community
- ☐ Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- ☒ Influence of the housing market on PHA programs
- ☐ Community priorities regarding housing assistance
- ☐ Results of consultation with local or state government

- ☒ Results of consultation with residents and the Resident Advisory Board
☐ Results of consultation with advocacy groups
☐ Other: (list below)

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2000 grants)		
a) Public Housing Operating Fund	532,000	Operating expenses
b) Public Housing Capital Fund	507,936	Improvements
c) HOPE VI Revitalization	N/A	
d) HOPE VI Demolition	N/A	
e) Annual Contributions for Section 8 Tenant-Based Assistance	141,464	Subsidize units in private sector-Vouchers
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	N/A	
g) Resident Opportunity and Self-Sufficiency Grants	38,341	Resident training on computers-Ameritech
h) Community Development Block Grant	N/A	
i) HOME	N/A	
Other Federal Grants (list below)	N/A	
2. Prior Year Federal Grants (unobligated funds only) (list below) 2000 Capital Fund (expect to obligate May 22, bid deadline)	375,172	Update security system at senior building , siding, storage sheds, clothelines, patios, canopies, storm doors at family site

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
3. Public Housing Dwelling Rental Income	456,767	PH OPERATIONS
4. Other income (list below)		
LAUNDRY REVENUE	6,177	Ph supportive services
ROOF RENT	4,200	Ph operations
4. Non-federal sources (list below)		
Investment interest	53,129	Ph operations
Total resources	2,115,186	As shown above

We specifically reserve the right to change this financial resources statement based on later, better information.

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.

(1) Eligibility

a. When does the PHA verify eligibility for admission to public housing? (select all that apply)

- ☒ When families are within a certain number of being offered a unit: (state number) one or two from top
- ☒ When families are within a certain time of being offered a unit: (state time) 30 days or less
- ☒ Other: (describe) at initial application

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?

- ☒ Criminal or Drug-related activity
- ☒ Rental history
- ☒ Housekeeping
- ☒ Other (describe) credit history

- c. ☒ Yes ☐ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- d. ☒ Yes ☐ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- e. ☒ Yes ☐ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

(2)Waiting List Organization

- a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply)

- ☐ Community-wide list
- ☐ Sub-jurisdictional lists
- ☒ Site-based waiting lists
- ☐ Other (describe)

- b. Where may interested persons apply for admission to public housing?

- ☒ PHA main administrative office
- ☐ PHA development site management office
- ☐ Other (list below)

- c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection **(3) Assignment**

1. How many site-based waiting lists will the PHA operate in the coming year?two
Lake Superior Village MI 070002 (family units),Pine Ridge Apartments MI
070001 (elderly units).

2. ☐ Yes ☒ No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?
If yes, how many lists?

3. ☒ Yes ☐ No: May families be on more than one list simultaneously
If yes, how many lists? Two, public housing & vouchers

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?

- ☒ PHA main administrative office
- ☐ All PHA development management offices
- ☒ Management offices at developments with site-based waiting lists
- ☐ At the development to which they would like to apply
- ☒ Other (list below) local agencies such as Domestic Violence Shelter, Mental Health, Homeless Shelters, TANF, University, Churches, Women's Center, hospital, Senior Citizen Center, Web Site.

(3) Assignment

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)

- ☐ One
☐ Two
☒ Three or More

b. ☒ Yes ☐ No: Is this policy consistent across all waiting list types?

c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

(4) Admissions Preferences

a. Income targeting:

☒ Yes ☐ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

b. Transfer policies:

In what circumstances will transfers take precedence over new admissions? (list below)

- ☒ Emergencies fire
☒ Overhoused
☒ Underhoused
☒ Medical justification
☒ Administrative reasons determined by the PHA (e.g., to permit modernization work)
☐ Resident choice: (state circumstances below)
☒ Other: (list below) To permit a family needing accessible features to move to a unit with such a feature.

c. Preferences

1. ☒ Yes ☐ No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection **(5) Occupancy**)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

- ☐ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
☐ Victims of domestic violence

- ☐ Substandard housing
- ☐ Homelessness
- ☐ High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

- 1 ☒ Working families and those unable to work because of age or disability
- 1 ☒ Veterans and veterans' families
- 1 ☒ Residents who live and/or work in the jurisdiction
- 1 ☒ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☒ Other preference(s) (list below) 2 For Pine Ridge given to elderly/disabled families or 1 for near elderly

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

1 Date and Time

Former Federal preferences:

Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
 Victims of domestic violence
 Substandard housing
 Homelessness
 High rent burden

Other preferences (select all that apply)

- ☒ Working families and those unable to work because of age or disability-1
- ☒ Veterans and veterans' families-1
- ☒ Residents who live and/or work in the jurisdiction-1
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes) 1
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☒ Other preference(s) (list below)
 2 Elderly/disabled for Pine Ridge
 1 Near elderly for Pine Ridge

4. Relationship of preferences to income targeting requirements:

- ☐ The PHA applies preferences within income tiers
- ☒ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Occupancy

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)

- ☒ The PHA-resident lease
- ☒ The PHA's Admissions and (Continued) Occupancy policy
- ☒ PHA briefing seminars or written materials
- ☒ Other source (list) Brochure and on the Web

b. How often must residents notify the PHA of changes in family composition? (select all that apply)

- ☒ At an annual reexamination and lease renewal
- ☒ Any time family composition changes
- ☒ At family request for revision
- ☒ Other (list) Any time there is a change in income, assets, family composition or medical expenses.

(6) Deconcentration and Income Mixing

a. ☐ Yes ☒ No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?

b. ☐ Yes ☐ No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

c. If the answer to b was yes, what changes were adopted? (select all that apply)

- ☐ Adoption of site based waiting lists
If selected, list targeted developments below:
- ☐ Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments
If selected, list targeted developments below:
- ☐ Employing new admission preferences at targeted developments
If selected, list targeted developments below:
- ☐ Other (list policies and developments targeted below)

Working incentive point to families working 20 hours or more weekly

d. ☐ Yes ☐ No: Did the PHA adopt any changes to **other** policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?

e. If the answer to d was yes, how would you describe these changes? (select all that apply)

- ☐ Additional affirmative marketing
- ☐ Actions to improve the marketability of certain developments
- ☐ Adoption or adjustment of ceiling rents for certain developments
- ☐ Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- ☐ Other (list below)-Adopting Flat Rents based on FMR and local rental units.

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)

- ☐ Not applicable: results of analysis did not indicate a need for such efforts
- ☐ List (any applicable) developments below:
Lake Superior Village

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)

- ☐ Not applicable: results of analysis did not indicate a need for such efforts
- ☐ List (any applicable) developments below:
Lake Superior Village

B. Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B.

Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

(1) Eligibility

a. What is the extent of screening conducted by the PHA? (select all that apply)

- ☒ Criminal or drug-related activity only to the extent required by law or regulation
- ☐ Criminal and drug-related activity, more extensively than required by law or regulation
- ☐ More general screening than criminal and drug-related activity (list factors below)
- ☒ Other (list below)
State Sex Offender Listing

- b. ☒ Yes ☐ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- c. ☒ Yes ☐ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- d. ☒ Yes ☐ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
- e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
- ☒ Criminal or drug-related activity IF REQUESTED
- ☐ Other (describe below)

(2) Waiting List Organization

- a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)
- ☒ None
- ☐ Federal public housing
- ☐ Federal moderate rehabilitation
- ☐ Federal project-based certificate program
- ☐ Other federal or local program (list below)
- b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)
- ☒ PHA main administrative office
- ☒ Other (list below)
- Local Agencies

(3) Search Time

- a. ☒ Yes ☐ No: Does the PHA give extensions on standard 60-day period to search for a unit?

If yes, state circumstances below:

If applicant has been unsuccessful in finding housing.

(4) Admissions Preferences

- a. Income targeting

☒ Yes ☐ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?

b. Preferences

1. ☒ Yes ☐ No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

- ☐ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- ☐ Victims of domestic violence
- ☐ Substandard housing
- ☐ Homelessness
- ☐ High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- ☒ Working families and those unable to work because of age or disability
- ☒ Veterans and veterans' families
- ☒ Residents who live and/or work in your jurisdiction
- ☒ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☐ Other preference(s) (list below)

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

1 Date and Time

Other preferences (select all that apply)

- 1 ☒ Working families and those unable to work because of age or disability-1
- 1 ☒ Veterans and veterans' families-1
- 1 ☒ Residents who live and/or work in your jurisdiction-1
- 1 ☒ Those enrolled currently in educational, training, or upward mobility programs-1

- ☐ Households that contribute to meeting income goals (broad range of incomes)-1
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☐ Other preference(s) (list below)

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)

- ☒ Date and time of application
- ☐ Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for “residents who live and/or work in the jurisdiction” (select one)

- ☒ This preference has previously been reviewed and approved by HUD
- ☐ The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)

- ☐ The PHA applies preferences within income tiers
- ☒ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs N/A

a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)

- ☐ The Section 8 Administrative Plan
- ☐ Briefing sessions and written materials
- ☐ Other (list below)

b. How does the PHA announce the availability of any special-purpose section 8 programs to the public?

- ☐ Through published notices
- ☐ Other (list below)

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete sub-component 4A.

(1) Income Based Rent Policies

Describe the PHA's income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

a. Use of discretionary policies: (select one)

- ☒ The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---or---

- ☐ The PHA employs discretionary policies for determining income based rent (If selected, continue to question b.)

b. Minimum Rent

1. What amount best reflects the PHA's minimum rent? (select one)

- ☐ \$0
☒ \$1-\$25
☐ \$26-\$50

2. ☒ Yes ☐ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

3. If yes to question 2, list these policies below:

When family has lost eligibility for or is waiting for an eligibility determination for a Federal, State or Local assistance Program; if family would be evicted as a result of minimum rent; income decreased; increase in medical expenses, child care, transportation, education or similar items; death in immediate family.

c. Rents set at less than 30% than adjusted income

1. ☒ Yes ☐ No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

Flat rent vs. 30% income-based rent, resident choice.

d. Which of the discretionary (optional) deductions and/or exclusions policies does the PHA plan to employ (select all that apply)

- ☒ For the earned income of a previously unemployed household member
☒ For increases in earned income
☐ Fixed amount (other than general rent-setting policy)

If yes, state amount/s and circumstances below:

- ☐ Fixed percentage (other than general rent-setting policy)
If yes, state percentage/s and circumstances below:

- ☐ For household heads
☐ For other family members
☒ For transportation expenses
☒ For the non-reimbursed medical expenses of non-disabled or non-elderly families
☒ Other (describe below) 10% of gross earned income, up to \$550/year for spousal support payments, up to \$480/year for child support payments, up to \$25/week for excessive travel expenses for work or education.

e. Ceiling rents

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)

- ☐ Yes for all developments
☐ Yes but only for some developments
☒ No

2. For which kinds of developments are ceiling rents in place? (select all that apply)

- ☐ For all developments
☐ For all general occupancy developments (not elderly or disabled or elderly only)
☐ For specified general occupancy developments
☐ For certain parts of developments; e.g., the high-rise portion
☐ For certain size units; e.g., larger bedroom sizes
☐ Other (list below)

3. Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)

- ☐ Market comparability study
☐ Fair market rents (FMR)
☐ 95th percentile rents
☐ 75 percent of operating costs
☐ 100 percent of operating costs for general occupancy (family) developments
☐ Operating costs plus debt service
☐ The "rental value" of the unit
☐ Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)
- ☐ Never
- ☒ At family option
- ☒ Any time the family experiences an income increase
- ☐ Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold) _____
- ☒ Other (list below)
- Any change in income, assets, family composition or medical expenses.
- g. ☐ Yes ☒ No: Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?

(2) Flat Rents

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)
- ☒ The section 8 rent reasonableness study of comparable housing
- ☒ Survey of rents listed in local newspaper
- ☐ Survey of similar unassisted units in the neighborhood
- ☐ Other (list/describe below)

B. Section 8 Tenant-Based Assistance

Exemptions: PHAs that do not administer Section 8 tenant-based assistance are not required to complete sub-component 4B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

(1) Payment Standards

Describe the voucher payment standards and policies.

- a. What is the PHA's payment standard? (select the category that best describes your standard)
- ☒ At or above 90% but below 100% of FMR (3 BR)
- ☐ 100% of FMR
- ☒ Above 100% but at or below 110% of FMR (1 & 2 BR)
- ☐ Above 110% of FMR (if HUD approved; describe circumstances below)
- b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)

- ☐ FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
- ☐ The PHA has chosen to serve additional families by lowering the payment standard
- ☒ Reflects market or submarket for 3 bedroom units
- ☐ Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)

- ☐ FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
- ☒ Reflects market or submarket for one bedroom units
- ☐ To increase housing options for families
- ☐ Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)

- ☐ Annually
- ☒ Other (list below)
Once every 2 years or as needed.

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)

- ☒ Success rates of assisted families
- ☒ Rent burdens of assisted families
- ☒ Other (list below)
market rent unassisted

(2) Minimum Rent

a. What amount best reflects the PHA's minimum rent? (select one)

- ☐ \$0
- ☒ \$1-\$25
- ☐ \$26-\$50

b. ☒ Yes ☐ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

1. Lost eligibility for income or is waiting for an eligibility determination.
2. Eviction because of non-payment of minimum rent.
3. Employment lost
4. Increased expenses.
5. Death in family.

5. Operations and Management N/A

[24 CFR Part 903.7 9 (e)]

Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C(2)

A. PHA Management Structure

Describe the PHA's management structure and organization.

(select one)

- ☒ An organization chart showing the PHA's management structure and organization was previously submitted.
- ☐ A brief description of the management structure and organization of the PHA follows:

B. HUD Programs Under PHA Management

List Federal programs administered by the PHA, number of families served at the beginning of the upcoming fiscal year, and expected turnover in each. (Use "NA" to indicate that the PHA does not operate any of the programs listed below.)

Program Name	Units or Families Served at Year Beginning 10/1/00	Expected Turnover
Public Housing	95	101
Section 8 Vouchers	45	17
Section 8 Certificates		
Section 8 Mod Rehab		
Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug Elimination Program (PHDEP)		
Other Federal Programs(list individually)		

C. Management and Maintenance Policies

List the PHA's public housing management and maintenance policy documents, manuals and handbooks that contain the Agency's rules, standards, and policies that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management.

- (1) Public Housing Maintenance and Management: (list below)
- I. Public Housing Commission
- A. Policy Manual

1. ACOP
 2. By Laws
 3. Capitalization Policy
 4. Check Signing Policy
 5. Community Service Policy
 6. Community Space Policy
 7. Criminal, Drug Treatment, Registered Sex Offender
Records Management Policy
 8. Disposition Policy
 9. Drug-Free Workplace Policy
 10. Equal Housing Opportunity Policy
 11. Ethics Policy
 12. Funds Transfer Policy
 13. Greivance Procedure
 14. Policy on Harrassment
 15. Investment Policy
 16. Minority Business Enterprise Policy
 17. Personnel Policy
 18. Pet Policy
 19. Procurement Policy
 20. Public Records Policy
 21. Resident Initiatives Policy
 22. Smoking Policy
 23. Travel Policy
- II. Section 8 Voucher Program
- A. Administrative Plan
- III. Maintenance
- A. Maintenance Plan
- B. Maintenance Schedule
- C. Hazardous Materials Policy

(2) Section 8 Management: (list below)
Adminsitrative Plan

6. PHA Grievance Procedures N/A

[24 CFR Part 903.7 9 (f)]

Exemptions from component 6: High performing PHAs are not required to complete component 6. Section 8-Only PHAs are exempt from sub-component 6A.

A. Public Housing

1. ☐ Yes ☐ No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?

If yes, list additions to federal requirements below:

2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)

- ☐ PHA main administrative office
☐ PHA development management offices
☐ Other (list below)

B. Section 8 Tenant-Based Assistance

1. ☐ Yes ☐ No: Has the PHA established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982?

If yes, list additions to federal requirements below:

2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)

- ☐ PHA main administrative office
☐ Other (list below)

7. Capital Improvement Needs SEE TABLE LIBRARY pgs.50-54

[24 CFR Part 903.7 9 (g)]

Exemptions from Component 7: Section 8 only PHAs are not required to complete this component and may skip to Component 8.

A. Capital Fund Activities

Exemptions from sub-component 7A: PHAs that will not participate in the Capital Fund Program may skip to component 7B. All other PHAs must complete 7A as instructed.

(1) Capital Fund Program Annual Statement

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year to ensure long-term physical and social viability of its public housing developments. This statement can be completed by using the CFP Annual Statement tables provided in the table library at the end of the PHA Plan template **OR** at the PHA's option, by completing and attaching a properly updated HUD-52837.

Select one:

- ☒ The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (state name) mi070x01, pages 5-7

-or-

☐ The Capital Fund Program Annual Statement is provided below:

PHA Plan Table Library

Component 7 Capital Fund Program Annual Statement Parts I, II, and II

Annual Statement Capital Fund Program (CFP) Part I: Summary

Capital Fund Grant Number MI 33 P07050101 FFY of Grant Approval: (10/2001)

☒ Original Annual Statement

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	
2	1406 Operations	
3	1408 Management Improvements	80,000
4	1410 Administration	
5	1411 Audit	
6	1415 Liquidated Damages	
7	1430 Fees and Costs	25,000
8	1440 Site Acquisition	
9	1450 Site Improvement	35,221
10	1460 Dwelling Structures	290,000
11	1465.1 Dwelling Equipment-Nonexpendable	
12	1470 Nondwelling Structures	77,715
13	1475 Nondwelling Equipment	
14	1485 Demolition	
15	1490 Replacement Reserve	
16	1492 Moving to Work Demonstration	
17	1495.1 Relocation Costs	
18	1498 Mod Used for Development	
19	1502 Contingency	
20	Amount of Annual Grant (Sum of lines 2-19)	507,936
21	Amount of line 20 Related to LBP Activities	
22	Amount of line 20 Related to Section 504 Compliance	
23	Amount of line 20 Related to Security (bsmt, parking)	41,221

24	Amount of line 20 Related to Energy Conservation Measures	
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Annual Statement

Capital Fund Program (CFP) Part II: Supporting Table

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
MI 070001 PINE RIDGE	Parking	1450	35,221
	Seal Building	1460	10,000
	Encapsulate concrete block & brick walls in corridors, remove incinerator and convert to dumpster use, improvements to basement area (security issue), revise offices to allow resident privacy	1470	77,715
MI 0700002 LAKE SUPERIOR VILLAGE	Storage sheds, siding, patios, canopies, clotheslines, storm doors, soffit, fascia (RESIDENT REQUESTS)	1470	280,000
HA-WIDE	MANAGEMENT IMPROVEMENTS	1408	80,000
	Youth & Family Center/DayCare A & E	1430	25,000

(2) Optional 5-Year Action Plan

Agencies are encouraged to include a 5-Year Action Plan covering capital work items. This statement can be completed by using the 5 Year Action Plan table provided in the table library at the end of the PHA Plan template ~~OR~~ by completing and attaching a properly updated HUD-52834.

a. ☒ Yes ☐ No: Is the PHA providing an optional 5-Year Action Plan for the Capital Fund? (if no, skip to sub-component 7B)

b. If yes to question a, select one:

☐ The Capital Fund Program 5-Year Action Plan is provided as an attachment to the PHA Plan at Attachment (state name)

-or-

☒ The Capital Fund Program 5-Year Action Plan is provided below:

Optional Table for 5-Year Action Plan for Capital Fund (Component 7)

Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables			
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development
MI070	PHA Wide	0	0
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
MANAGEMENT IMPROVEMENT		290,000	10-01-2002 TO 10-01-2005
ARCHITECT & ENGINEER		100,000	
Total estimated cost over next 5 years		390,000	

Optional Table for 5-Year Action Plan for Capital Fund (Component 7)

Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables			
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development
MI070001	Pine Ridge	0	0
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
Encapsulate concrete block/brick walls		280,000	2002-2005
Replace common space windows		73,600	2002-03
Bathtubs, waste piping, shut-off valves, faucets, modules		212,284	2003-2005
Total estimated cost over next 5 years		565,884	

35 Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables			
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development
MI 070002	Lake Superior Village	0	0
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
Upgrade building exteriors, vinyl siding and door entrance canopies		1,030,000	2002-2004
Upgrade kitchens-cabinets		45,860	2004-2005
Total estimated cost over next 5 years		1,075,860	

B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund)

Applicability of sub-component 7B: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

- ☐ Yes ☒ No: a) Has the PHA received a HOPE VI revitalization grant? (if no, skip to question c; if yes, provide responses to question b for each grant, copying and completing as many times as necessary)
- b) Status of HOPE VI revitalization grant (complete one set of questions for each grant)

1. Development name:
2. Development (project) number:
3. Status of grant: (select the statement that best describes the current status)

- ☐ Revitalization Plan under development
- ☐ Revitalization Plan submitted, pending approval
- ☐ Revitalization Plan approved
- ☐ Activities pursuant to an approved Revitalization Plan underway

- ☐ Yes ☒ No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year?
- If yes, list development name/s below:

- ☐ Yes ☒ No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year?
- If yes, list developments or activities below:

- ☐ Yes ☒ No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?
- If yes, list developments or activities below:

8. Demolition and Disposition N/A

[24 CFR Part 903.7 9 (h)]

Applicability of component 8: Section 8 only PHAs are not required to complete this section.

1. ☐ Yes ☒ No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If “No”, skip to component 9; if “yes”, complete one activity description for each development.)

2. Activity Description

- ☐ Yes ☒ No: Has the PHA provided the activities description information in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 9. If “No”, complete the Activity Description table below.)

Demolition/Disposition Activity Description	
1a. Development name:	
1b. Development (project) number:	
2. Activity type: Demolition <input type="checkbox"/> Disposition <input type="checkbox"/>	
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>	
4. Date application approved, submitted, or planned for submission: (DD/MM/YY)	
5. Number of units affected:	
6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development	
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:	

9. Designation of Public Housing for Occupancy by Elderly Families or Families with Disabilities or Elderly Families and Families with Disabilities N/A

[24 CFR Part 903.7 9 (i)]

Exemptions from Component 9; Section 8 only PHAs are not required to complete this section.

1. ☐ Yes ☒ No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S.

Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

2. Activity Description

☐ Yes ☐ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 10. If “No”, complete the Activity Description table below

Designation of Public Housing Activity Description
1a. Development name:
1b. Development (project) number:
2. Designation type: Occupancy by only the elderly <input type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA’s Designation Plan <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission: (DD/MM/YY)
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected:
7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.

A. Assessments of Reasonable Revitalization Pursuant to section 202 of the HUD FY 1996 HUD Appropriations Act

1. ☐ Yes ☒ No: Have any of the PHA’s developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY 1996 HUD Appropriations Act? (If “No”, skip to component 11; if “yes”, complete one activity description for each identified development, unless

eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

☐ Yes ☐ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 11. If “No”, complete the Activity Description table below.

Conversion of Public Housing Activity Description	
1a. Development name:	
1b. Development (project) number:	
2. What is the status of the required assessment?	
<input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)	
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)	
4. Status of Conversion Plan (select the statement that best describes the current status)	
<input type="checkbox"/> Conversion Plan in development <input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY) <input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY) <input type="checkbox"/> Activities pursuant to HUD-approved Conversion Plan underway	
5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one)	
<input type="checkbox"/> Units addressed in a pending or approved demolition application (date submitted or approved:) <input type="checkbox"/> Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved:) <input type="checkbox"/> Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved:) <input type="checkbox"/> Requirements no longer applicable: vacancy rates are less than 10 percent <input type="checkbox"/> Requirements no longer applicable: site now has less than 300 units <input type="checkbox"/> Other: (describe below)	
B. Reserved for Conversions pursuant to Section 22 of the U.S. Housing Act of 1937	

C. Reserved for Conversions pursuant to Section 33 of the U.S. Housing Act of 1937

11. Homeownership Programs Administered by the PHA N/A

[24 CFR Part 903.7 9 (k)]

A. Public Housing

Exemptions from Component 11A: Section 8 only PHAs are not required to complete 11A.

1. ☐ Yes ☒ No: Does the PHA administer any homeownership programs administered by the PHA under an approved section 5(h) homeownership program (42 U.S.C. 1437c(h)), or an approved HOPE I program (42 U.S.C. 1437aaa) or has the PHA applied or plan to apply to administer any homeownership programs under section 5(h), the HOPE I program, or section 32 of the U.S. Housing Act of 1937 (42 U.S.C. 1437z-4). (If “No”, skip to component 11B; if “yes”, complete one activity description for each applicable program/plan, unless eligible to complete a streamlined submission due to **small PHA** or **high performing PHA** status. PHAs completing streamlined submissions may skip to component 11B.)

2. Activity Description

- ☐ Yes ☐ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 12. If “No”, complete the Activity Description table below.)

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: 1b. Development (project) number:
2. Federal Program authority: <input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one) <input type="checkbox"/> Approved; included in the PHA’s Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission: (DD/MM/YYYY)
5. Number of units affected:

6. Coverage of action: (select one)

- ☐ Part of the development
☐ Total development

B. Section 8 Tenant Based Assistance

1. ☐ Yes ☒ No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If “No”, skip to component 12; if “yes”, describe each program using the table below (copy and complete questions for each program identified), unless the PHA is eligible to complete a streamlined submission due to high performer status. **High performing PHAs** may skip to component 12.)

2. Program Description:

a. Size of Program

☐ Yes ☐ No: Will the PHA limit the number of families participating in the section 8 homeownership option?

If the answer to the question above was yes, which statement best describes the number of participants? (select one)

- ☐ 25 or fewer participants
☐ 26 - 50 participants
☐ 51 to 100 participants
☐ more than 100 participants

b. PHA-established eligibility criteria

☐ Yes ☐ No: Will the PHA’s program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?

If yes, list criteria below:

12. PHA Community Service and Self-sufficiency Programs

N/A

[24 CFR Part 903.7 9 (l)]

Exemptions from Component 12: High performing and small PHAs are not required to complete this component. Section 8-Only PHAs are not required to complete sub-component C.

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

- ☐ Yes ☐ No: Has the PHA entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive services (as contemplated by section 12(d)(7) of the Housing Act of 1937)?

If yes, what was the date that agreement was signed? DD/MM/YY

2. Other coordination efforts between the PHA and TANF agency (select all that apply)

- ☐ Client referrals
☐ Information sharing regarding mutual clients (for rent determinations and otherwise)
☐ Coordinate the provision of specific social and self-sufficiency services and programs to eligible families
☐ Jointly administer programs
☐ Partner to administer a HUD Welfare-to-Work voucher program
☐ Joint administration of other demonstration program
☐ Other (describe)

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

Which, if any of the following discretionary policies will the PHA employ to enhance the economic and social self-sufficiency of assisted families in the following areas? (select all that apply)

- ☐ Public housing rent determination policies
☐ Public housing admissions policies
☐ Section 8 admissions policies
☐ Preference in admission to section 8 for certain public housing families
☐ Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
☐ Preference/eligibility for public housing homeownership option participation
☐ Preference/eligibility for section 8 homeownership option participation
☐ Other policies (list below)

b. Economic and Social self-sufficiency programs

- ☐ Yes ☐ No: Does the PHA coordinate, promote or provide any programs to enhance the economic and social self-sufficiency of residents? (If "yes", complete the following table; if "no" skip to sub-component 2, Family Self Sufficiency Programs. The position of the table may be altered to facilitate its use.)

Services and Programs				
Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing		
Section 8		

- b. ☐ Yes ☐ No: If the PHA is not maintaining the minimum program size required by HUD, does the most recent FSS Action Plan address the steps the PHA plans to take to achieve at least the minimum program size?
If no, list steps the PHA will take below:

C. Welfare Benefit Reductions

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by: (select all that apply)

- ☐ Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
- ☐ Informing residents of new policy on admission and reexamination
- ☐ Actively notifying residents of new policy at times in addition to admission and reexamination.
- ☐ Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services
- ☐ Establishing a protocol for exchange of information with all appropriate TANF agencies
- ☐ Other: (list below)

D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937

13. PHA Safety and Crime Prevention Measures

N/A

[24 CFR Part 903.7 9 (m)]

Exemptions from Component 13: High performing and small PHAs not participating in PHDEP and Section 8 Only PHAs may skip to component 15. High Performing and small PHAs that are participating in PHDEP and are submitting a PHDEP Plan with this PHA Plan may skip to sub-component D.

A. Need for measures to ensure the safety of public housing residents

1. Describe the need for measures to ensure the safety of public housing residents (select all that apply)

- ☐ High incidence of violent and/or drug-related crime in some or all of the PHA's developments
- ☐ High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments
- ☒ Residents fearful for their safety and/or the safety of their children
- ☒ Observed lower-level crime, vandalism and/or graffiti
- ☒ People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- ☐ Other (describe below)

2. What information or data did the PHA used to determine the need for PHA actions to improve safety of residents (select all that apply).

- ☒ Safety and security survey of residents
- ☐ Analysis of crime statistics over time for crimes committed "in and around" public housing authority
- ☐ Analysis of cost trends over time for repair of vandalism and removal of graffiti
- ☒ Resident reports
- ☒ PHA employee reports
- ☒ Police reports

- ☒ Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- ☐ Other (describe below)

3. Which developments are most affected? (list below)

Both 070-001 and 002

B. Crime and Drug Prevention activities the PHA has undertaken or plans to undertake in the next PHA fiscal year

1. List the crime prevention activities the PHA has undertaken or plans to undertake: (select all that apply)

- ☐ Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities
- ☐ Crime Prevention Through Environmental Design
- ☒ Activities targeted to at-risk youth, adults, or seniors
- ☒ Volunteer Resident Patrol/Block Watchers Program Neighborhood Watch Programs at both developments
- ☒ Other (describe below) Local police set up satellite office at site and are attempting to get an officer to live at the site (for Lake Superior Village). For Pine Ridge, we are brightening up the rear entrance, installing windows and have evicted a problem tenant (who had threatening guests).

2. Which developments are most affected? (list below)

Both 070-001 and 002

C. Coordination between PHA and the police

1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)

- ☐ Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- ☐ Police provide crime data to housing authority staff for analysis and action
- ☒ Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- ☐ Police regularly testify in and otherwise support eviction cases
- ☒ Police regularly meet with the PHA management and residents
- ☒ Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
- ☐ Other activities (list below)

2. Which developments are most affected? (list below)

MI 070001

MI 070002

D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds. N/A

- ☐ Yes ☐ No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- ☐ Yes ☐ No: Has the PHA included the PHDEP Plan for FY 2000 in this PHA Plan?
- ☐ Yes ☐ No: This PHDEP Plan is an Attachment. (Attachment Filename: ____)

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)] Attachment M-2

Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations.

16. Fiscal Audit Previously submitted by Anderson Tackman & Co., Iron Mountain, Mi.

[24 CFR Part 903.7 9 (p)]

1. ☒ Yes ☐ No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))?
(If no, skip to component 17.)
2. ☒ Yes ☐ No: Was the most recent fiscal audit submitted to HUD?
3. ☐ Yes ☒ No: Were there any findings as the result of that audit?
4. ☐ Yes ☐ No: If there were any findings, do any remain unresolved?
If yes, how many unresolved findings remain? ____
5. ☐ Yes ☐ No: Have responses to any unresolved findings been submitted to HUD?
If not, when are they due (state below)?

17. PHA Asset Management N/A

[24 CFR Part 903.7 9 (q)]

Exemptions from component 17: Section 8 Only PHAs are not required to complete this component. High performing and small PHAs are not required to complete this component.

1. ☐ Yes ☐ No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock, including how the Agency will plan for long-term operating, capital investment,

rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?

2. What types of asset management activities will the PHA undertake? (select all that apply)

- ☐ Not applicable
- ☐ Private management
- ☐ Development-based accounting
- ☐ Comprehensive stock assessment
- ☐ Other: (list below)

3. ☐ Yes ☐ No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

1. ☒ Yes ☐ No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)

- ☐ Attached at Attachment (File name)
- ☒ Provided below: Also, see pg. 6-7, of Attachment X-1

For Pine Ridge, make rear entrance less scary, card key locking system instead of traditional keys, range vent, emergency buzzer in bedroom and get rid of the cigarette smoke. For Lake Superior Village, write into policies that a resident cannot sue the Housing Commission if their dog bites someone; for Dwelling Lease, add not to store things on storage shed roof and that kids can be without footwear in their yards. At Public Hearing, two suggestions were made: install a phone in the parking lot hooked up to 911 in case of a car robbery, etc. and put an awning over the entrance area to block from view persons being picked up by ambulance at this entrance.

3. In what manner did the PHA address those comments? (select all that apply)

- ☐ Considered comments, but determined that no changes to the PHA Plan were necessary.

- ☒ The PHA changed portions of the PHA Plan in response to comments.

List changes below: For the rear entrance we have budgeted under the Capital Fund to make changes to the rear entrance at Pine Ridge. We will look in to and consider funding changing our key system and an emergency buzzer in bedrooms (at least for seniors and those with disabilities). We, through general operations, are looking at perhaps increasing the capacity of the fan that connects to our ventilation system that will resolve the cigarette smoke problem (it comes in through common vents that are in bathrooms). For LSV, we incorporated the comments made in the

Dwelling Lease as it relates to storing stuff on storage shed roofs and footwear. Because we cannot sign away a persons right to sue, we did not follow the recommendation of the Advisory Board concerning not allowing someone to sue the HC when their animal bites someone. We have had only one suspected stolen car in 30 years which would not justify the expense of a phone system in the parking lot. The suggestion for an awning over the rear entrance has merit and we will consider this expense either in an upcoming general operating budget or future Capital Fund. In considering priorities, however, it would be a low priority.

☐ Other: (list below)

B. Description of Election process for Residents on the PHA Board

1. ☐ Yes ☒ No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)
2. ☐ Yes ☒ No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

3. Description of Resident Election Process

a. Nomination of candidates for place on the ballot: (select all that apply)

- ☐ Candidates were nominated by resident and assisted family organizations
- ☐ Candidates could be nominated by any adult recipient of PHA assistance
- ☒ Self-nomination: Candidates registered with the PHA and requested a place on ballot
- ☐ Other: (describe)

b. Eligible candidates: (select one)

- ☐ Any recipient of PHA assistance
- ☐ Any head of household receiving PHA assistance
- ☒ Any adult recipient of PHA assistance
- ☐ Any adult member of a resident or assisted family organization
- ☐ Other (list)

c. Eligible voters: (select all that apply)

- ☐ All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
- ☐ Representatives of all PHA resident and assisted family organizations
- ☒ Other (list) Appointed by City Manager, approved by City Council.

C. Statement of Consistency with the Consolidated Plan

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary).

1. Consolidated Plan jurisdiction: (provide name here)
Upper Peninsula of Michigan
2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
 - ☒ The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plans.
 - ☒ The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
 - ☒ The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
 - ☒ Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
Homeless Coalition- Continuum of Care Plan.
Emergency Needs Coalition- Cooperative Agreements with MI Con Agencies.
 - ☐ Other: (list below)
4. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)
Review of Plan and issuing Compliance Statement (MI State Housing Authority).

D. Other Information Required by HUD

Use this section to provide any additional information requested by HUD.

Attachments

Admissions & Continued Occupancy	mi070a02	pg 1-67
Certification of Consistency w/consolidate plan	mi070c02	pg 1-2
Grievance Procedure	mi070i02	pg. 1-5
Board Resolution to accompany Agency Plan	mi070m02	pg 1-3
Certification of payments to influence Fed trans	mi070n03	pg 1
Certifications for a drug free workplace	mi070o03	pg 1
Section 8 Administrative Plan	mi070q02	pg. 1-96
Performance & Evaluation form, Capital	mi070s01	pg. 1-8
Fund/Comp Grant Program Annual Stmt, HUD 59837 & 52825		
Membership of Resident Advisory Board	mi070t01	pg. 1
Agency's Progress in Meeting Overall Goals	mi070u01	pg. 1
Community Service Requirement Summary	mi070v01	pg. 1-2
Description of Pet Policy	mi070w01	Pg. 1
Summary of 5 Year/1 Year Agency Action Plan	mi070x01	pg. 1-7
Resident Sub-Indicator Follow-Up Plan	mi070y01	pg. 1-4
Disclosure of Lobbying	mi070z01	pg. 1

PHA Plan Table Library

Component 7 Capital Fund Program Annual Statement Parts I, II, and II

Annual Statement Capital Fund Program (CFP) Part I: Summary

Capital Fund Grant Number MI 33 P07050100 FFY of Grant Approval: (10/2000)

☒ Original Annual Statement

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	
2	1406 Operations	
3	1408 Management Improvements	80,000
4	1410 Administration	
5	1411 Audit	
6	1415 Liquidated Damages	
7	1430 Fees and Costs	25,000
8	1440 Site Acquisition	
9	1450 Site Improvement	35,221
10	1460 Dwelling Structures	290,000
11	1465.1 Dwelling Equipment-Nonexpendable	
12	1470 Nondwelling Structures	77,715
13	1475 Nondwelling Equipment	
14	1485 Demolition	
15	1490 Replacement Reserve	
16	1492 Moving to Work Demonstration	
17	1495.1 Relocation Costs	
18	1498 Mod Used for Development	
19	1502 Contingency	
20	Amount of Annual Grant (Sum of lines 2-19)	507,936
21	Amount of line 20 Related to LBP Activities	
22	Amount of line 20 Related to Section 504 Compliance	
23	Amount of line 20 Related to Security	41,221
24	Amount of line 20 Related to Energy Conservation Measures	

Annual Statement

Capital Fund Program (CFP) Part II: Supporting Table

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
MI 070001 PINE RIDGE	Parking, additional	1450	35,221
	Encapsulate concrete block/brick walls	1460	15,000
	Remove incinerator/convert to dumpster	1460	7,000
	Revisions to basement entrance, install window betw vestibule & area by elevator, enlarge window on door to stairwell & vestibule, install drop ceiling to hide piping, cover concrete block walls with Tassoglas or equivalent, increase lighting, replace flooring	1460	6,000
	Reconfigure existing office space. Remove 1 wall that creates an unusable room, install walls & doors between leasing & Section 8/recert offices. Centralize filing, copier, printer using 1/2 of E.D. office, update wiring for computer use	1470	49,715
	Seal building from the elements, exterior	1460	10,000
MI 070002 LSV	12 Storage sheds, 12 clotheslines, 12 patios, 12 garbage areas, 24 canopies, 24 storm doors, 24 Exterior porch lights, siding for 12 units. Canopy roof extends & becomes roof of storage/garbage room sheds thereby attaching them to the dwelling unit.	1460	280,000
HA WIDE	Management Improvements \$70,000 for Programs for the Youth & Family Center, \$10,000 for Day Care Programs A & E	1408	80,000
		1430	25,000

TOTAL			507,936
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Optional Table for 5-Year Action Plan for Capital Fund (Component 7)

Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
MI070	PHA Wide	0	0	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
MANAGEMENT IMPROVEMENT			290,000	10-1-02 to 10-1-05
A & E			100,000	
Total estimated cost over next 5 years			390,000	

Optional Table for 5-Year Action Plan for Capital Fund (Component 7)

Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables			
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development
MI070001	Pine Ridge	0	0

Description of Needed Physical Improvements or Management Improvements	Estimated Cost	Planned Start Date (HA Fiscal Year)
Encapsulate concrete block/brick walls	280,000	2002-2005
Replace common space windows	73,600	2002-2003
Bathtubs, waste piping, shut off valves, faucets, modules	212,284	2003-2005
Total estimated cost over next 5 years	565,884	

35 Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables			
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development
MI 070002	Lake Superior Village	0	0
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
Upgrade building exteriors, vinyl siding & door entrance canopies		1,030,000	10-01-2002 to 10-1-2005
Upgrade kitchens – cabinets (only starting work)		45,860	10/1/04-10/1/05
Total estimated cost over next 5 years		1,075,860	

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ADMISSIONS AND CONTINUED OCCUPANCY POLICY

Proposed changes for review: 5/4/01

This Admissions and Continued Occupancy Policy defines the Marquette Housing Commission's policies for the operation for the Public Housing Program, incorporating Federal, State and local law. If there is any conflict between this policy and laws or regulations, the laws and regulations will prevail.

1.0 FAIR HOUSING

It is the policy of the MHC to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

No person shall, on the grounds of race, color, sex, religion, national or ethnic origin, familial status, sexual preference, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the MHC's programs.

The MHC will assist any family that believes they have suffered illegal discrimination by providing them with the address of the nearest HUD office of Fair Housing and Equal Opportunity.

2.0 REASONABLE ACCOMMODATION

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the MHC housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability. This policy clarifies how people can request accommodations and the guidelines the MHC will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the MHC will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations.

2.1 COMMUNICATION

Anyone requesting an application will be able to request reasonable accommodation during the application process.

Notifications of reexamination, inspection, appointment, or eviction will include information about requesting a reasonable accommodation. Any notification requesting action by the tenant will include information about requesting a reasonable accommodation.

All decisions granting or denying requests for reasonable accommodations will be in writing.

2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION

- A. Is the requestor a person with disabilities? For this purpose the definition of person with disabilities is different than the definition used for admission. The Fair Housing definition used for this purpose is:

A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. (The disability may not be apparent to others, i.e., a heart condition).

If the disability is apparent or already documented, the answer to this question is yes. It is possible that the disability for which the accommodation is being requested is a disability other than the apparent disability. If the disability is not apparent or documented, the MHC will obtain verification through a licensed doctor or psychiatrist that the person is a person with a disability

- B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the MHC will obtain documentation that the requested accommodation is needed due to the disability. The MHC will not inquire as to the nature of the disability.
- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:
1. Would the accommodation constitute a fundamental alteration? The MHC's business is housing. If the request would alter the fundamental business that the MHC conducts, that would not be reasonable. For instance, the MHC would deny a request to have the MHC do grocery shopping for a person with disabilities.
 2. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the MHC may request a meeting with the individual to investigate and consider equally effective alternatives with costs shared equally by the resident and MHC.

- D. Generally the individual knows best what it is they need; however, the MHC retains the right to be shown how the requested accommodation enables the individual to access or use the MHC's programs or services.

If more than one accommodation is equally effective in providing access to the MHC's programs and services, the MHC retains the right to select the most efficient or economic choice.

The reasonable cost necessary to carry out approved requests, including requests for physical modifications, will be borne by the MHC if there is no one else willing to pay for the modifications. If another party pays for the modification, the MHC will seek to have the same entity pay for any restoration costs.

If the tenant requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, the MHC will generally approve such request if it does not violate codes or affect the structural integrity of the unit.

Any request for an accommodation that would enable a tenant to materially violate essential lease terms will not be approved, i.e. allowing nonpayment of rent, destruction of property, disturbing the peaceful enjoyment of others, etc.

3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS

The MHC will endeavor to assist people who speak languages other than English to the extent possible as available through local community resources.

4.0 FAMILY OUTREACH

The MHC will publicize the availability and nature of the Public Housing Program for extremely low-income, very low and low-income families in a newspaper of general circulation, and by other suitable means.

The MHC will communicate the status of housing availability to other service providers in the community and inform them of housing eligibility factors and guidelines so they can make proper referrals for the Public Housing Program.

5.0 RIGHT TO PRIVACY

All adult members of both applicant and tenant households are required to sign HUD Form 9886, Authorization for Release of Information and Privacy Act Notice. The Authorization for Release of Information and Privacy Act Notice states how family information will be released and includes the Federal Privacy Act Statement.

Any request for applicant or tenant information will not be released unless there is a signed release of information request from the applicant or tenant.

6. REQUIRED POSTINGS

In each of its offices, the MHC will post, in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy
- B. Notice of the status of the waiting list (opened or closed)
- C. A listing of all the developments by name, address, number of units, address of all project offices, office hours, telephone numbers, TDD numbers.
- D. Income Limits for Admission
- E. Excess Utility Charges
- F. Utility Allowance Schedule
- G. Current Schedule of Routine Maintenance Charges
- H. Dwelling Lease
- I. Grievance Procedure
- J. Fair Housing Poster
- K. Equal Opportunity in Employment Poster
- L. Any current MHC Notices

7.0 TAKING APPLICATIONS

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance. Applications will be accepted during regular

business hours at:

316 Pine Street, Marquette MI 49855

Applications are taken to compile a waiting list. Due to the demand for housing in the MHC jurisdiction, the MHC may take applications on an open enrollment basis, depending on the length of the waiting list.

Completed applications will be accepted for all applicants and the MHC will verify the information.

Applications will be mailed to interested families upon request.

The completed application will be dated and time stamped upon its return to the MHC.

Persons with disabilities who require a reasonable accommodation in completing an application may call the MHC to make special arrangements. A Telecommunication Device for the Deaf (TDD) is available for the deaf. The TDD telephone number is **906-226-7559**.

The application process will involve two phases. The first phase is the initial application for housing assistance. The pre-application requires the family to provide basic information establishing any preferences to which they may be entitled.

Upon receipt of the family's application, the MHC will make a preliminary determination of eligibility. The MHC will notify the family in writing of the date and time of placement on the waiting list, and the approximate wait before housing may be offered. If the MHC determines the family to be ineligible, the notice will state the reasons therefore and will offer the family the opportunity of an informal review of the determination. Such request for an informal review must be in writing and within ten (10) calendar days of the date of the letter.

The applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The MHC will annotate the applicant's file and will update their place on the waiting list.

The second phase is the final determination of eligibility, which takes place when the family nears the top of the waiting list. The MHC will ensure that verification of all preferences, eligibility, suitability and selection factors are current in order to determine the family's final eligibility for admission into the Public Housing Program.

8.0 ELIGIBILITY FOR ADMISSION(24CFR 912.2)

8.1 INTRODUCTION

There are five eligibility requirements for admission to public housing: qualifies as a family, has an income within the income limits, meets citizenship/eligible immigrant criteria, provides documentation of Social Security numbers, and signs consent authorization documents. In addition to the eligibility criteria, families must also meet the MHC screening criteria in order to be admitted to public housing.

8.2 ELIGIBILITY CRITERIA

A. Family status.

1. A **family with or without children**. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that live together in a stable family relationship. In the case of “affinity”, the family shall sign a Declaration of Affinity (Attachment A).
 - a. Children temporarily absent from the home due to placement in foster care are considered family members for residents in possession. At time of application, children temporarily absent from the home due to placement in foster care are considered family members ONLY if a qualified agency can assure the MHC, in writing, that the child(ren) will be returned within six (6) months of move in.
 - b. Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit. A custodial parent must have child at least 180 days annually in order to qualify as part of tenant family.
2. An **elderly family**, which is:
 - a. A family whose head, spouse, or sole member is a person who is at least 62 years of age;
 - b. Two or more persons who are at least 62 years of age living together; or
 - c. One or more persons who are at least 62 years of age living with one or more live-in aides.
3. A **near-elderly family**, which is:
 - a. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62;

- b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
 - c. One or more persons, who are at least 50 years of age but below the age of 62, living with one or more live-in aides.
- 4. A **disabled family**, which is:
 - a. A family whose head, spouse, or sole member is a person with disability.
 - b. Two or more persons with a disability living together; or
 - c. One or more persons with a disability living with one or more live-in aides.
- 5. A **displaced family**, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
- 6. A **remaining member of a tenant family**. When the head of household chooses to move out, in certain circumstances, remaining member(s) of a tenant family may be permitted to remain. However, their name(s) must have already been on the lease. The remaining member(s) shall appoint a head or heads of the new household. Such head(s) must be over age 18. All persons in the household over age 18 must pass the standard screening process as with new applicants. No remaining members of a tenant family shall have automatic rights to said apartment.
- 7. A **single person** who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family.
- 8. A Live In Aide: A live-in aide shall mean a person who resides with an elderly, disabled or handicapped person and who (a) Is determined to be essential to the care and well-being of the person, verified in writing by a licensed physician or psychiatrist; (b) Is not obligated for the support of the person; and (c) Would not be living in the unit except to provide the necessary supportive services.

B. Income eligibility

1. To be eligible for admission to developments or units that were available for occupancy before 10/1/81, the family's annual income must be within the low-income limit set by HUD. This means the family income cannot exceed 80 percent of the median income for the area.
2. Income limits apply only at admission and are not applicable for continued occupancy.
3. A family may not be admitted to the public housing program from another assisted housing program (e.g., tenant-based Section 8) or from a public housing program operated by another housing authority without meeting the income requirements of the MHC.

C. Citizenship/Eligibility Status

- To be eligible each member of the family must be a citizen, national, or a noncitizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).
- Family eligibility for assistance.
 - a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
 - b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 13.6 for calculating rents under the noncitizen rule)

D. Social Security Number Documentation

To be eligible, all family members must provide a copy of their Social Security card or certify that they have applied for one (ex: copy of SS application). Once received, applicant must bring into the MHC the Social Security card within ten (10) calendar days of its receipt.

E. Signing Consent Forms

1. In order to be eligible, each member of the family who is at least 18 years

of age, and each family head and spouse regardless of age, shall sign one or more consent forms.

2. The consent form must contain, at a minimum, the following:
 - a. A provision authorizing HUD or the MHC to obtain information necessary to complete or verify the application for participation or for eligibility for continued occupancy; and
 - b. A provision authorizing HUD or the MHC to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
 - c. A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
 - d. Permission to run a confidential police check.
 - e. Permission to contact former landlords and/or references to make inquiries about applicant's past rental history, responsibility, use of illegal drugs or abuse of alcohol, etc., or other information pertinent to renting from the MHC.
 - f. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

F. Copies of Birth Certificates of all family members are required.

8.3 SUITABILITY

- A. Applicant families will be evaluated to determine whether, based on their behavior, such behavior could reasonably be expected to result in noncompliance with the public housing lease. The MHC will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the development environment, other tenants, MHC employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria.
- B. The MHC will consider objective and reasonable aspects of the family's background, including the following:

1. History of meeting financial obligations, especially rent;
 2. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other residents or Housing Commission property.
 3. History of criminal activity by any household member involving crimes or physical acts of violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other residents or staff or cause damage to the property;
 4. History of disturbing neighbors or destruction of property;
 5. Having committed fraud in connection with any Federal, State or Local Program, including the intentional misrepresentation of information related to their housing application or benefits derived there from; or have an outstanding balance with a Housing Commission/Authority from a previous tenancy, and
 6. A record of disregard for rules of occupancy and rights of others.
 7. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.
 8. If single, an applicant shall be determined ineligible if (s)he is not capable of complying with the provisions of the lease.
- C. The MHC will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The MHC will verify the information provided. Such verification may include but may not be limited to the following:
1. A credit check of the head, spouse and co-head of all adult family members ;
 2. A rental history check of all adult family members; applicant must provide a minimum of two (2) landlord references and/or five (5) years of rental history for Management to contact regarding suitability as a tenant. If applicant has never rented (example: young adult living with parents or senior citizen who owned home) then applicant may provide three (3) character references (not staff nor MHC Board Members) from past or present employer(s), school teacher or professor, religious leader such as

pastor or priest etc. Character references must have known applicant 6 months or more and had contact within the last six (6) months.

3. A criminal background check on all adult household members, including live-in aides. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last three years. Where the individual has lived outside the local area, the MHC may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC);
4. Live In Aides shall be subject to the same screening (suitability) criteria as an applicant.
5. A check of the State's lifetime sex offender registration program for each adult household member, including live-in aides. No individual registered with this program will be admitted to public housing or allowed on MHC property.
6. Additional information may be obtained if necessary, from social service agencies, health agencies, etc.

8.4 GROUND S FOR DENIAL

The MHC is not required or obligated to assist applicants who:

- A. Do not meet any one or more of the eligibility criteria; including inability to understand and abide by requirements of the lease.
- B. Do not supply information or documentation required by the application process;
- C. Have failed to respond to a written request for information or a request to declare their continued interest in the program;
- D. Have a history of not meeting financial obligations, especially rent;
- E. Do not have the ability to maintain (with assistance) their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants;
- F. Have a history of criminal activity by any household member or visitors involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the

property;

- G. Have a history of disturbing neighbors or destruction of property;
- H. Currently owes rent or other amounts to any subsidized housing program. Family may be considered for re-admission after account is paid in full and three (3) years has passed since full payment is received. If applicant owed money to any subsidized housing program, later filed bankruptcy which dismissed responsibility for such debt, such applicant will be denied.
- I. Have committed fraud, bribery or any other corruption in connection with any Federal, State or local government program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- J. Were evicted or asked to leave from any housing within five years of the projected date of admission because of drug-related criminal activity involving the personal use or possession for personal use;
- K. Were evicted or asked to leave from any housing within five years of the projected date of admission because of *abuse of alcohol* or drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802;
- L. Are illegally using a controlled substance or are abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. It shall be demonstrated that there have been no alcohol or illegal drug related problems within the past five years.
- M. Have engaged in or threatened abusive or violent behavior towards any MHC staff or residents or others;
- N. Have a household member (including live in aides) who has ever been evicted for cause from public housing;
- O. Have a family household member who has been terminated for cause under the certificate or voucher program;
- P. **Denied for Life:** If any family member has been convicted of manufacturing or producing methamphetamine (speed) or other illegal drug ;
- Q. **Denied for Life:** Has a lifetime registration under a State sex offender registration program.

8.5 *INFORMAL REVIEW*

- A. If the MHC determines that an applicant does not meet the criteria for receiving public housing assistance, the MHC will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision and state that the applicant may request an informal review of the decision within 10 business days of the denial. The MHC will describe how to obtain the informal review.

The informal review may be conducted by any person designated by the MHC. The applicant must be given the opportunity to present written or oral objections to the MHC's decision. The MHC must notify in writing the applicant of the final decision within 14 calendar days after the informal review, including a brief statement of the reasons for the final decision.

- B. The participant family may request that the MHC provide for an Informal Hearing after the family has notification of an INS decision on their citizenship status on appeal, or in lieu of request of appeal to the INS. This request must be made by the participant family within 30 days of receipt of the Notice of Denial or Termination of Assistance, or within 30 days of receipt of the INS appeal decision.

9.0 *MANAGING THE WAITING LIST*

9.1 *OPENING AND CLOSING THE WAITING LIST*

Opening of the waiting list will be announced with a public notice stating that applications for public housing will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media. The public notice will state any limitations to who may apply.

Closing of the waiting list will also be announced with a public notice. The public notice will state the date the waiting list will be closed and for what bedroom sizes. The public notice will be published in a local newspaper of general circulation and also by any available minority media.

9.2 *ORGANIZATION OF THE WAITING LIST*

The waiting list will be maintained in accordance with the following guidelines:

- A. The application will be a permanent file;
- B. All applications will be separated according to housing program requested. If more than one program is requested- appropriated cross referencing will be

maintained; and

- C. Any contacts between the MHC and the applicant will be documented in the applicant file.

9.3 *FAMILIES NEARING THE TOP OF THE WAITING LIST*

When a family appears at the top of the waiting list, the MHC will contact the family.

9.4 *PURGING THE WAITING LIST*

The MHC will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents the interested families for whom the MHC has current information, i.e. applicant's address, family composition, income category, and preferences.

9.5 *REMOVAL OF APPLICANTS FROM THE WAITING LIST*

The MHC will not remove an applicant's name from the waiting list unless:

- A. The applicant requests in writing that the name be removed;
- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program; or
- C. The applicant no longer meets either the eligibility or suitability criteria for the program.

9.6 *MISSED APPOINTMENTS*

All applicants who fail to keep a scheduled appointment with the MHC will be sent a notice of termination of the process for eligibility.

The MHC will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities will be given for good cause. When good cause exists for missing an appointment, the MHC will work closely with the family to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list.

9.7 *NOTIFICATION OF NEGATIVE ACTIONS*

Any applicant whose name is being removed from the waiting list will be notified by the MHC, in writing, that they have ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The

letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified. The MHC system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the MHC will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The MHC will select families based on the following local preferences within each bedroom size category:

1 Point	Applicant is a resident of the City of Marquette.
1 Point	Applicant is a veteran or the spouse of a veteran or service person who has served in the Armed Forces of the United States of America and was discharged under circumstances other than dis-honorable. A service person is a person presently serving in the Armed Forces.
1 Point	Applicant is a working family and/or in an educational program..
2 Points	For Pine Ridge preference will be given to elderly/disabled families.
1 Point	If there are no elderly or disabled families on the list for Pine Ridge, preference will then be given to near-elderly families.(ages 50-62) If there are no near-elderly families on the waiting list, units will be offered to families who qualify for the appropriate bedroom size using these priorities. All such families will be selected from the waiting list using the preferences as outlined above.

The date and time of application will be noted and utilized to determine the sequence within the above prescribed preferences.

10.2 ASSIGNMENT OF BEDROOM SIZES

The following guidelines will determine the number of bedrooms required to accommodate a family of a given size except that such standards may be waived when a vacancy problem exists and it is necessary to achieve or maintain full occupancy:

Number of Bedrooms	Number of Persons	
	Minimum	Maximum

1	1	2
2	2	4
3	3	6
4	4	8

10.3 SELECTION FROM THE WAITING LIST

When feasible, the MHC shall follow the statutory requirement that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. To insure this requirement is met we shall quarterly monitor the incomes of newly admitted families and the incomes of the families on the waiting list. If it appears that the requirement to house extremely low-income families will not be met, we will skip higher income families on the waiting list to reach extremely low-income families.

If there are not enough extremely low-income families on the waiting list we will conduct outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement. If outreach is unsuccessful, the MHC will house otherwise eligible applicants rather than let the unit remain vacant.

10.4 DECONCENTRATION POLICY

Elderly and disabled developments are excluded from the Deconcentration Rule. Since the MHC has only two developments, an elderly/disabled and a family development, the family development is also not subject to the deconcentration rule.

10.6 OFFER OF A UNIT

When the MHC discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit or development.

The MHC will contact the family first by telephone to make the unit offer. If the family cannot be reached by telephone, the family will be notified of a unit offer via first class mail. The family will be given seven (7) calendar days from the date the letter was mailed to contact the MHC regarding the offer.

The family will be offered the opportunity to view the unit. After the opportunity to view the unit, the family will have three (3) business days to accept or reject the unit. This verbal offer and the family's decision must be documented in the tenant file. If the family rejects the offer of the unit, the MHC must send the family a letter documenting the offer and the rejection.

10.7 REJECTION OF UNIT

If the family rejects the unit without good cause, the family will forfeit their application's date and time. The family will keep their preferences, but the date and time of application will be changed to the date and time the unit was rejected.

If the family rejects with good cause any unit offered, they will not lose their place on the waiting list. Good cause will be determined by the MHC.

10.8 ACCEPTANCE OF UNIT

The family will be required to sign a lease that will become effective no later than three (3) business days after the date of acceptance or the business day after the day the unit becomes available, whichever is later and pay \$25.00 toward the security deposit to hold a unit (non-refundable if they decide later not to move in). The family does not receive keys to the unit until the full security deposit and first month's rent is paid in full.

The signing of the lease and the review of financial information are to be privately handled. The head of household and all adult family members will be required to execute the lease prior to admission. One executed copy of the lease will be furnished to

the head of household and the MHC will retain the original executed lease in the tenant's file.

The family will pay a security deposit of \$100 which must be paid in full by the move in date.

11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME

To determine annual income, the MHC counts the income of all family members, excluding the types and sources of income that are specifically excluded. Once the annual income is determined, the MHC subtracts all allowable deductions (allowances) to determine the Total Tenant Payment.

11.1 INCOME

Annual income means all amounts, monetary or not, that:

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

- C. Are not specifically excluded from annual income.

Annual income includes, but is not limited to:

- A. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services. For residents paying under the formula method (30% of income) raises granted during the year need not be reported until the next regularly scheduled annual recertification.
- B. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family.
- C. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by the MHC.
- D. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.
- E. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)
- F. Welfare assistance.
 - 1. If the amount of welfare is reduced due to an act of fraud by a family

member or because of any family member's failure to comply with requirements to participate in an economic self-sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased. In such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud.

2. If the amount of welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted as income.
- G. Regular contributions or gifts received from organizations or from persons not residing in the dwelling for such things as utility payments or grocery purchases. The full amount of child support or alimony to which the family is entitled unless it is verified that the family is not getting the payment and is taking legal action to secure the back amount.
- H. All regular pay, special pay, and allowances of a member of the Armed Forces. (Special pay to a member exposed to hostile fire is excluded.)
- I. After retirement, the amount which the resident is eligible to draw down from his/her pension or retirement plan shall be counted as income, whether or not the resident elects to draw the entire amount.
- J. The income of all members of the family over the age of 18 who are counted for bedroom size determination, shall be included in the annual income determination unless in school full time.
- K. Non-cash contributions given in exchange for services rendered may be counted as income.
- L. Income from assets shall be considered to be:
 - a. Actual income received, or
 - b. If total assets equal \$5,000 or more, income from these assets shall be the

actual income received or a percentage of the total value of the assets, based on the current passbook savings rate (average for the area).
- M. Per capita payments from Indian tribes/casinos.

2 ASSETS

Assets shall not preclude admission to the MHC developments. Assets shall be used to determine income earned as follows:

- a. The actual income earned from the ownership of bank accounts, investments, such

as certificates of deposit, annuities, stocks, bonds, etc.

- b. The income from real property such as land contract interest, rental income, etc.
- c. Where the family has Net Family Assets in excess of \$5,000, annual income shall

include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate (average for the area).

In determining Net Family Assets, the MHC shall include the value of any assets

disposed of by an applicant or resident for less than fair market value during the two (2) years preceding the date of application for the program or re-examination, as applicable, in excess of the consideration received therefore.

- d. The value to be assigned to the assets shall be the value of the assets after deducting costs that would be incurred in disposing of the asset, such as real estate or stock brokers commissions or penalty for early withdrawal of a time deposit.
- e. Retirement or pension plans will be counted as an asset before resident has retired, only if the resident may draw down a portion before (s)he actually retires.
- f. A burial fund which is treated as an annuity shall be considered as an asset unless it is in an irrevocable burial trust/fund.
- g. The portion of a trust fund which is accessible to the family shall be considered an asset.
- h. The average six (6) month balance in a checking account shall be considered an asset.

3 *ANNUAL INCOME*

Annual income does not include the following:

- A. Income from employment of children (including foster children) under the age of 18 years;
- B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- C. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses;

- D. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- E. Income of a live-in aide;
- F. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- G. The amounts received from the following programs:
 - 1. Amounts received under training programs funded by HUD (such as the Green Thumb Program);
 - 2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - 3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;
 - 4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Commission, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time;
 - 5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;
 - 6. Temporary, nonrecurring or sporadic income (including gifts);
 - 7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted

during the Nazi era;

8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
9. Adoption assistance payments in excess of \$480 per adopted child;
10. For family members who enrolled in certain training programs prior to 10/1/99, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family Support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 1437t), or any comparable Federal, State, or local law during the exclusion period. For purposes of this exclusion the following definitions apply:
 - a. Comparable Federal, State or local law means a program providing employment training and supportive services that:
 - i. Is authorized by a Federal, State or local law;
 - ii. Is funded by the Federal, State or local government;
 - iii. Is operated or administered by a public agency; and
 - iv. Has as its objective to assist participants in acquiring employment skills.
 - b. Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end.
 - c. Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.
11. The incremental earnings due to employment during the 12-month period following date of hire shall be excluded. This exclusion (paragraph 11) will not apply for any family who concurrently is eligible for exclusion #10. Additionally, this exclusion is only available to the following families:
 - a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years.

- b. Families whose income increases during the participation of a family member in any family self-sufficiency program.
- c. Families who are or were, within 6 months, assisted under a State TANF program.

(While HUD regulations allow for the housing authority to offer an escrow account in lieu of having a portion of their income excluded under this paragraph, it is the policy of this housing authority to provide the exclusion in all cases.)

- 12. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
- 13. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
- 14. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
- 15. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:
 - a. The value of the allotment for food stamps.
 - b. Payments to volunteers under the Domestic Volunteer Services Act of 1973
 - c. Payments received under the Alaska Native Claims Settlement Act
 - d. Income from certain submarginal land of the U.S. that is held in trust for certain Indian tribes
 - e. Payments made under HHS's Low-Income Home Energy Assistance Program
 - f. Payments received under the Job Training Partnership Act
 - g. Income from the disposition of funds of the Grand River Band of Ottawa Indians

individ-
trust or

- h. The first \$2000 of per capita shares received from judgment funds awarded for certain Indian Claims Commission or the U.S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such restricted lands.
- i. Amount of scholarships awarded under Title IV of the Higher Education Act of 1965, including awards under Federal work-study program or under the Bureau of Indian Affairs Student Assistance programs.
- j. Payments received under Title V of the Older Americans Act of 1965
- k. Payments from Agent Orange Settlement Fund or any other fund established pursuant to the settlement in In Re-Agent- product liability litigation.
- l. Payments received under the Maine Indian Claims Act
- m. The value of child care under the Child Care and Development Block Grant Act of 1990
- n. Earned income tax credit refund payments
- o. Payments for living expenses under the Americorps Program
- p. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937.
- q. Also excluded from income are payments made for individuals under the Community Services Employment Program administered by the Department of Labor, Title V of the Older Americans Act of 1965 (42 USC 3056(f))
- r. Payments derived from Title VI of the Older American Comprehensive Services Amendments of 1973 (PL-93-29) such as Foster Grandparents and Older Americans Community Services programs are not included in family income. Also excluded are ACTION

Volunteers, administered under the Domestic Volunteers Act of 1973, Title IX (PL 93-113).

- s. Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation.
- t. Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran.
- u. Any amount of crime victim compensation that the applicant (under the Victims of Crime Act) receives through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant.
- v. Payments received under programs funded in whole or in part under the Workforce Investment Act of 1998.

11.3 DEDUCTIONS FROM ANNUAL INCOME

The following deductions will be made from annual income:

- A. \$480 for each dependent;
- B. \$400 for any elderly family or disabled family;
- C. For any family that is not an elderly or disabled family but has a member (other than the head or spouse) who is a person with a disability, disability medical expenses in excess of 3% of annual income. This allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the person with disabilities.
- D. For any elderly or disabled family:
 - 1. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income;
 - 2. That has disability expenses greater than or equal to 3% of annual income, an allowance for disability assistance expenses computed in accordance with paragraph C, plus an allowance for medical expenses that equal the family's medical expenses.

3. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the total of these expenses less 3% of annual income.
- E. Child care expenses (for children under age 13), only if unreimbursed, in an amount reasonable for the area, shall be allowed where necessary to allow a family member to be gainfully employed or to further his/her education. The amount deducted shall not exceed the amount of gross income received for such employment. Such expense shall be allowed only if no adult member of the family is available to provide such care.
- F. An elderly family shall be allowed an amount for Medical Expenses equal to the Amount by which the medical expenses exceed 3% of annual income if there is no disabled assistance expenses allowance. Medical expense shall include only actual expense, including medical insurance premiums, that are not covered by insurance.
- G. Employed public housing families will be given a deduction equal to the cost of personally paid health insurance.
- H. If an elderly family has disabled assistance expenses less than 3% of annual income, an allowance for combined handicapped assistance expenses that is equal to the amount by which the sum of these expenses exceeds 3% of annual income. Up to \$550 per year for spousal support payments that one has a legal obligation to make and is making such payments.
- I. In no case will allowances be given which exceed the family's annual income.
- J. Up to \$480 per year for making child support payments for children outside the household
- K. For all households with earned income, a 10% deduction from gross earnings only will be granted. Such 10% deduction shall be made before other eligible deductions are granted and such 10% deduction will be applied only to earned income, either part or full time. In case of self-employment, the 10% shall be applied to the gross earned income.
- L. For "excessive travel expenses" defined as an amount exceeding \$25/family per week for employment or education-related travel (not reimbursed). Family would qualify for a \$25/week deduction. This deduction cannot exceed the income earned which entitled the family to this deduction.

12.0 VERIFICATION

The MHC will verify information related to waiting list preferences, eligibility, admission, and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income, assets, and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations; full time student status of family members 18 years of age and older; Social Security numbers; and citizenship/eligible noncitizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

12.1 ACCEPTABLE METHODS OF VERIFICATION

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. For citizenship, the family's certification will be accepted. (Or for citizenship documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family. This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from the MHC or automatically by another government agency, i.e. the Social Security Administration. Verification forms and reports received will be contained in the applicant/tenant file. Oral third party documentation will include the same information as if the documentation had been written, i.e. name date of contact, amount received, etc.

When third party verification cannot be obtained, the MHC will accept documentation received from the applicant/tenant. Hand-carried documentation will be accepted if the MHC has been unable to obtain third party verification in a 4-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

When neither third party verification nor hand-carried verification can be obtained, the MHC will accept a notarized statement signed by the head, spouse or co-head. Such documents will be maintained in the file.

12.2 TYPES OF VERIFICATION

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the MHC will send a request form to the source along with a release form signed by the

applicant/tenant via first class mail.

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
General Eligibility Items		
Social Security Number	Letter from Social Security, electronic reports	Social Security card
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school students, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A
Child care costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls
Value of and Income from Assets		
Savings, checking accounts	Letter from institution	Passbook, most current statements
CDS, bonds, etc	Letter from institution	Tax return, information

		brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return
Personal property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth
Cash value of life insurance policies	Letter from insurance company	Current statement
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth

Income

Earned income	Letter from employer	Multiple pay stubs
Self-employed	N/A	Tax return from prior year, books of accounts
Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree
Periodic payments (i.e., social security, welfare, pensions, workers compensation, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training program participation	Letter from program provider indicating - whether enrolled or completed - whether training is HUD-funded - whether Federal, State, local govt.,	N/A

	or local program - whether it is employment training - whether it has clearly defined goals and objectives - whether program has supportive services - whether payments are for out-of-pocket expenses incurred in order to participate in a program - date of first job after program completion	Evidence of job start
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12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

The citizenship/eligible noncitizen status of each family member regardless of age must be determined.

Prior to being admitted, or at the first reexamination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show proof of their status by such means as a Social Security card, birth certificate, military ID, or military DD 214 Form.

Prior to being admitted or at the first reexamination, all eligible noncitizens who are 62 years of age or older will be required to sign a declaration under penalty of perjury. They will also be required to show proof of age.

Prior to being admitted or at the first reexamination, all eligible noncitizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. The MHC will make a copy of the individual's INS documentation and place the copy in the file. The MHC will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the MHC will mail information to the INS in order that a manual check can be made of INS records.

Family members who do not claim to be citizens, nationals, or eligible noncitizens must be listed on a statement of noneligible members and the list must be signed by the head of the household.

Noncitizen students on student visas, though in the country legally, are not eligible to be admitted to public housing.

Any family member who does not choose to declare their status must be listed on the statement of noneligible members.

If no family member is determined to be eligible under this section, the family's eligibility will be denied.

The family's assistance will not be denied, delayed, reduced, or terminated because of a delay in the process of determining eligible status under this section, except to the extent that the delay is caused by the family.

If the MHC determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the lease) to permanently reside in their public housing unit, the family will be evicted. Such family will not be eligible to be readmitted to public housing for a period of 24 months from the date of eviction or termination.

12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

Prior to admission, each family member who has a Social Security number must provide verification of their Social Security number.

The best verification of the Social Security number is the original Social Security card. If the card is not available, the MHC will accept letters from the Social Security Agency that establishes and states the number. Documentation from other governmental agencies will also be accepted that establishes and states the number. Driver's licenses, military IDs, passports, or other official documents that establish and state the number are also acceptable.

If an individual states that they do not have a Social Security number, they will be required to sign a statement to this effect. The MHC will not require any individual who does not have a Social Security number to obtain a Social Security number.

If a member of an applicant family indicates they have a Social Security number, but cannot readily verify it, the family cannot be housed until verification is provided.

12.5 TIMING OF VERIFICATION

Verification information must be dated within ninety (90) days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the Housing Authority will verify and update all information related to family circumstances and level of assistance. The Housing Authority will only verify and update those elements reported to have changed.

12.6 FREQUENCY OF OBTAINING VERIFICATION

For each family member, citizenship/eligible noncitizen status will be verified only once. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of their status will be obtained at the

next regular reexamination. Prior to a new member joining the family, their citizenship/eligible noncitizen status will be verified.

For each family member, verification of Social Security number will be obtained only once. This verification will be accomplished prior to admission. When a family member who did not have a Social Security number at admission receives a Social Security number, that number will be verified at the next regular reexamination.

13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT

13.1 FAMILY CHOICE

At admission, each year in preparation for their annual reexamination and at each interim review, each family is given the choice of having their rent determined under the formula method or having their rent set at the flat rent amount.

- A. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo. However, in the interim 3 years, they must report changes within ten (10) days of income, assets and family composition.
- B. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:
 - 1. The family's income has decreased.
 - 2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
 - 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

13.2 THE FORMULA METHOD

The total tenant payment is equal to the highest of:

- A. 10% of monthly income;
- B. 30% of adjusted monthly income; or
- C. The welfare rent.

The family will pay the greater of the total tenant payment or the minimum rent of

\$25.00, but never more than the ceiling rent.

In the case of a family who has qualified for the income exclusion at Section 11.3(H)(11), upon the expiration of the 12-month period described in that section, an additional rent benefit accrues to the family. If the family member's employment continues, then for the 12-month period following the 12-month period of disallowance, the resulting rent increase will be capped at 50 percent of the rent increase the family would have otherwise received for the first year, 100% of the succeeding year.

13.3 MINIMUM RENT

The MHC has set the minimum rent at \$25.00. However if the family requests a hardship exemption, the MHC will immediately suspend the minimum rent for the family until the Housing Commission can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

A. A hardship exists in the following circumstances:

1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program;
2. When the family would be evicted as a result of the imposition of the minimum rent requirement;
3. When the income of the family has decreased because of changed circumstances, including loss of employment;
4. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
5. When a death has occurred in the family.

B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.

C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will be not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will

not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.

- D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.
- E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

13.4 THE FLAT RENT

The MHC has set a flat rent for each public housing unit. In doing so, it considered the size and type of the unit, as well as its condition, amenities, services, and neighborhood. The MHC determined the market value of the unit and set the rent at the market value. The amount of the flat rent will be reevaluated annually and adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family (for more information on flat rents, see Section 15.3).

The MHC will post the flat rents at each of the developments and at the central office and are incorporated in this policy upon approval by the Board of Commissioners.

13.5 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE

A mixed family will receive full continuation of assistance if all of the following conditions are met:

- A. The family was receiving assistance on June 19, 1995;
- B. The family was granted continuation of assistance before November 29, 1996;
- C. The family's head or spouse has eligible immigration status; and
- D. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse.

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the orderly transition of some or all of its members to locate other affordable housing. Under this provision, the family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three (3) years. If granted after that date,

the maximum period of time for assistance under the provision is eighteen (18) months. The MHC will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, the MHC will provide additional search periods up to the maximum time allowable.

Suitable housing means housing that is not substandard and is of appropriate size for the family. Affordable housing means that it can be rented for an amount not exceeding the amount the family pays for rent, plus utilities, plus 25%.

The family's assistance is prorated in the following manner:

- A. Determine the 95th percentile of gross rents (tenant rent plus utility allowance) for the MHC. The 95th percentile is called the maximum rent.
- B. Subtract the family's total tenant payment from the maximum rent. The resulting number is called the maximum subsidy.
- C. Divide the maximum subsidy by the number of family members and multiply the result times the number of eligible family members. This yields the prorated subsidy.
- D. Subtract the prorated subsidy from the maximum rent to find the prorated total tenant payment. From this amount subtract the full utility allowance to obtain the prorated tenant rent.

13.6 ***UTILITY ALLOWANCE(FAMILY HOUSING)***

The MHC shall establish a utility allowance for all check-metered utilities and for all tenant-paid utilities. The allowance will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment. In setting the allowance, the MHC will review the actual consumption of tenant families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc). Allowances will be evaluated at least annually as well as any time utility rate changes by 10% or more since the last revision to the allowances.

For MHC paid utilities, the MHC will monitor the utility consumption of each household. Any consumption in excess of the allowance established by the MHC will be billed to the tenant quarterly.

Requests for relief from surcharges for excess consumption of MHC purchased utilities or may be granted by the MHC on reasonable grounds. Requests shall be granted to families that include an elderly member or a member with disabilities. Requests by the family shall be submitted under the Reasonable Accommodation Policy. Families shall be advised of their right to individual relief at admission to public housing and at time of

utility allowance changes.

13.7 PAYING RENT

Rent and other charges are due and payable on the first day of the month. All rents should be paid at 316 Pine Street,(Pine Ridge). Reasonable accommodations for this requirement will be made for persons with disabilities. As a safety measure, no cash shall be accepted as a rent payment

If the rent is not paid by the fifth of the month, a Notice to Vacate will be issued to the tenant. If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a non-payment of rent. After two (2) checks for non sufficient funds are received, the MHC may require money orders or cashier's check for payment. A charge of \$15.00 will be assessed to the resident if a check is returned for non-sufficient funds.

14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE

14.1 GENERAL

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) participate in an economic self-sufficiency program unless they are exempt from this requirement.

14.2 EXEMPTIONS

The following adult family members of tenant families are exempt from this requirement.

- A. Family members who are 62 or older
- B. Family members who are blind or disabled
- C. Family members who are the primary care giver for someone who is blind or disabled
- D. Family members engaged in work activity
- E. Family members who are exempt from work activity under part A title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program
- F. Family members receiving assistance under a State program funded under part A

title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that program

- G. Families participating in Self-Sufficiency Program or are in school for at least 8 hours per month or a combination of each activity for a total of 8 hours per month.

14.3 NOTIFICATION OF THE REQUIREMENT

The MHC shall identify all adult family members who are apparently not exempt from the community service requirement.

The MHC shall notify all such family members of the community service requirement and of the categories of individuals who are exempt from the requirement. The notification will provide the opportunity for family members to claim and explain an exempt status. The MHC shall verify such claims.

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after 10/1/99. For family's paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

14.4 VOLUNTEER OPPORTUNITIES

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

An economic self sufficiency program is one that is designed to encourage, assist, train or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, work placement, basic skills training, education, English proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work (such as substance abuse or mental health treatment).

The MHC will coordinate with social service agencies, local schools, and the Human Resources Office in identifying a list of volunteer community service positions.

The MHC may create volunteer positions such as hall monitoring, litter patrols, and supervising and record keeping for volunteers.

14.5 THE PROCESS

At the first annual reexamination on or after October 1, 1999, and each annual

reexamination thereafter, the MHC will do the following:

- A. Provide a list of volunteer opportunities to the family members.
- B. Provide information about obtaining suitable volunteer positions.
- C. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.
- D. MHC staff will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. Family members shall track their monthly progress and report about any problems or concerns to MHC staff at *the* development *in* which they reside.
- E. Thirty (30) days before the family's next lease anniversary date, MHC will determine whether each applicable adult family member is in compliance with the community service requirement.

14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

The MHC will notify any family found to be in noncompliance of the following:

- A. The family member(s) has been determined to be in noncompliance;
- B. That the determination is subject to the grievance procedure; and
- C. That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed or will be terminated;

14.7 OPPORTUNITY FOR CURE

The MHC will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) agrees to enter into an economic self-sufficiency program or agrees to contribute to community service for as many hours as needed to comply with the requirement over the past 12-month period. The cure shall occur over the 12-month period beginning with the date of the agreement and the resident shall at the same time stay current with that year's community service requirement. The first hours a resident earns goes toward the current commitment until the current year's commitment is made. Compliance will be monitored on a quarterly basis. The Cure Compliance Agreement can be for a period of one month to not more than a 12 month period.

If any applicable family member does not accept the terms of the agreement, does not

fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service by more than three (3) hours after three (3) months, the MHC shall take action to terminate the lease.

15.0 RECERTIFICATIONS

At least annually, the MHC will conduct a reexamination of family income and circumstances. The results of the reexamination determine (1) the rent the family will pay, and (2) whether the family is housed in the correct unit size.

15.1 GENERAL

The MHC will send a notification letter to the family letting them know that it is time for their annual reexamination, giving them the option of selecting either the flat rent or formula method, and scheduling an appointment if they are currently paying a formula rent. If the family thinks they may want to switch from a flat rent to a formula rent, they should request an appointment. At the appointment, the family can make their final decision regarding which rent method they will choose. The letter also includes, for those families paying the formula method, forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.

During the appointment, the MHC will determine whether family composition may require a transfer to a different bedroom size unit, and if so, the family's name will be placed on the transfer list.

15.2 MISSED APPOINTMENTS

If the family fails to respond to the letter and fails to attend the interview, a second letter will be mailed. The second letter will advise of a new time and date for the interview, allowing for the same considerations for rescheduling and accommodation as above. The letter will also advise that failure by the family to attend the second scheduled interview will result in the MHC taking eviction actions against the family.

15.3 FLAT RENTS

The annual letter to flat rent payers regarding the reexamination process will state the following:

- A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount.

- B. The amount of the flat rent.
- C. Information about formula rents.
- D. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they otherwise would undergo.
- E. Families who opt for the flat rent may request to have a reexamination and return to the formula-based method at any time for any of the following reasons:
 - 1. The family's income has decreased.
 - 2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
 - 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.
- F. The dates upon which the MHC expects to review the amount of the flat rent, the approximate rent increase the family could expect, and the approximate date upon which a future rent increase could become effective.
- G. The name and phone number of an individual to call to get additional information or counseling concerning flat rents.
- H. A certification for the family to sign accepting or declining the flat rent.

Each year at least 60 days prior to their anniversary date, MHC will send a reexamination letter to the family. The opportunity to select the flat rent is available only at the time of recertification. At the appointment, the MHC may assist the family in identifying the rent method that would be most advantageous for the family. If the family wishes to select the flat rent method without meeting with the MHC representative, they may make the selection on the form and return the form to the MHC. In such case, the MHC will cancel the appointment.

15.4 THE FORMULA METHOD

During the interview, the family will provide all information regarding income, assets, expenses, and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other consent forms that later will be mailed to the sources that will verify the family circumstances.

Upon receipt of verification, the MHC will determine the family's annual income and will

calculate their rent as follows.

The total tenant payment is equal to the highest of:

- A. 10% of monthly income;
- B. 30% of adjusted monthly income; or
- C. The welfare rent.

The family will pay the greater of the total tenant payment or the minimum rent of \$25.00 but never more than the ceiling rent.

15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS

The new rent will generally be effective upon the anniversary date with thirty (30) days notice of any rent increase to the family.

If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a 30-day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.

If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

15.6 INTERIM REEXAMINATIONS

During an interim reexamination, only the information affected by the changes being reported will be reviewed and verified.

Families are required to report the following changes to the MHC between regular reexaminations. If the family's rent is being determined under the formula method, these changes will trigger an interim reexamination. The family shall report these changes within ten (10) days of their occurrence.

- A. A member has been added to the family through birth or adoption or court-awarded custody, marriage, live in aide, or familial status.
- B. A household member is leaving or has left the family unit.

In order to add a household member other than through birth or adoption (including a live-in aide), the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form

stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security number if they have one and must verify their citizenship/eligible immigrant status. (Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family.) The new family member will go through the screening process similar to the process for applicants. The MHC will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. If they are found to be eligible and do pass the screening criteria, their name will be added to the lease. At the same time, if the family's rent is being determined under the formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph below 15.8.

Families are not required to, but may at any time, request an interim reexamination based on a decrease in income, or other changes in family circumstances. Upon such request, the MHC will take timely action to process the interim reexamination and recalculate the tenant's rent. Increases in income are required to be reported within ten (10) days of the Change. However, rent will not be increased simply due to an increase in resident's hourly rate (due to a raise) unless such increase is due to a promotion or change in jobs.

15.7 SPECIAL REEXAMINATIONS

If a family's income is too unstable to project for twelve (12) months or have a temporary decrease in income, the MHC may schedule special reexaminations every sixty (60) days until the income stabilizes and an annual income can be determined. Families with no income shall be recertified monthly.

15.8 EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS

Unless there is a delay in reexamination processing caused by the family, any rent increase will be effective the first of the second month after the month in which the family receives notice of the new rent amount. If the family causes a delay, then the rent increase will be effective on the date it would have been effective had the process not been delayed (even if this means a retroactive increase).

If the new rent is a reduction and any delay is beyond the control of the family, the reduction will be effective the first of the month after the interim reexamination should have been completed.

If the new rent is a reduction and the family caused the delay or did not report the change in a timely manner, the change will be effective the first of the month after the rent amount is determined.

The MHC shall deny admission to applicants who have committed fraud in connection with any Federal, State or Local government program. If it is found that resident misrepresented the facts upon which his/her rent is based so that the rent (s)he is paying is less than (s)he should have been charged, the increase in rent will be made retroactive and the family will/may be subject to eviction. If a resident fails to report changes of income or family composition in a timely manner for verification, the rent which should have been charged shall be made retroactive to the date of the change.

16.0 UNIT TRANSFERS

16.1 OBJECTIVES OF THE TRANSFER POLICY

Reassignments or transfer to other dwelling units shall be made without regard to race, creed, color, national origin, religion, sex, disability, marital status, lawful source of income, sexual preference or familial status and to alleviate a medical problem (verified in writing by a licensed physician or psychiatrist. Residents shall not be transferred to a dwelling unit of equal bedroom size either within a development or between developments except for alleviating hardships as determined by the Executive Director/Housing Manager or his/her designee. Transfers within the development shall be made only to correct occupancy standards. Transfers between developments shall be made for families requiring larger or smaller size units which do not exist within a development.

The objectives of the Transfer Policy include the following:

- A. To address emergency situations.
- B. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate size unit. The occupancy standards of the MHC shall balance the need to avoid overcrowding with the need to make the best use of available space. If a unit becomes overcrowded or underutilized, the family will be required to move to an appropriate size unit as soon as one becomes available.
- C. To facilitate a relocation when required for modernization or other management purposes.
- D. To facilitate relocation of families with inadequate housing accommodations.
- E. To eliminate vacancy loss and other expense due to unnecessary transfers.
- F. To make a handicap accessible unit available for an applicant with special needs by a resident placed in a handicap unit during a time when no handicapped

applicant was interested.

16.2 Categories of Transfers

Category 1: Emergency transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.

Category 2: Immediate administrative transfers. These transfers are necessary in order to permit a family needing accessible features to move to a unit with such a feature or to enable modernization work to proceed.

Category 3: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain MHC occupancy goals, to correct occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the MHC when a transfer is the only or best way of solving a serious problem.

16.3 DOCUMENTATION

When the transfer is at the request of the family, the family may be required to provide third party verification of the need for the transfer. *For medical purposes, a licensed physician or psychiatrist must verify the need and how the transfer would remedy the medical condition.*

16.4 ADMINISTRATIVE TRANSFERS

Transfer requests will be permitted only if the following eligibility criteria are met:

- A. Have been a tenant in good standing for the immediate past twelve (12) months.
- B. Adult members who are required to perform community service have been current in these responsibilities since the inception of the requirement or for one year which ever is less;
- C. The family is current in the payment of all charges owed the MHC and has not paid late rent for at least one year;
- D. The family passes a current housekeeping inspection and does not have any record

of housekeeping problems during the last year;

- E. The family has not materially violated the lease over the past one year by disturbing the peaceful enjoyment of their neighbors, by engaging in criminal or drug-related activity, or by threatening the health or safety of tenants, others or Housing Commission staff.

16.5 PROCESSING TRANSFERS

Transfers on the transfer waiting list will be sorted by the above categories and within each category by date and time.

Emergency transfers will be housed ahead of any other families, including those on the applicant waiting list.

Transfers in category C will be housed as needed.

Upon offer and acceptance of a unit, the family will execute all lease up documents and pay any rent and/or security deposit within three (3) days of being informed the unit is ready to rent. The family will be allowed fourteen (14) calendar days to complete a transfer.

The following is the policy for the rejection of an offer to transfer:

- A. If the family rejects with good cause any unit offered, they will not lose their place on the transfer waiting list.
- B. If the transfer is being made at the request of the MHC for modernization or other management purposes, the family will be required to transfer to the first unit offered by the MHC.
- C. If the transfer is being made at the family's request, the family will maintain their place on the transfer list and will not otherwise be penalized.
- B. If the transfer is being made at the family's request the family will maintain their the family will maintain their place on the transfer list and will not otherwise be penalized.
- C. If the transfer is being made at the family's request, the family may, without good cause and without penalty, turn down one offer. After turning down a second such offer without good cause, the family's name will be removed from the transfer list.

16.6 COST OF THE FAMILY'S MOVE

The cost of the transfer generally will be borne by the family in the following circumstances:

- A. When the transfer is made at the request of the family or by others on behalf of the family (i.e. by the police);
- B. When the transfer is needed to move the family to an appropriately sized unit, either larger or smaller;
- C. When the transfer is necessitated because a family with disabilities needs the accessible unit into which the transferring family moved (The family without disabilities signed a statement to this effect prior to accepting the accessible unit); or
- D. When the transfer is needed because action or inaction by the family caused the unit to be unsafe or uninhabitable.

The cost of the transfer will be borne by the MHC in the following circumstances:

- A. When the transfer is needed in order to carry out rehabilitation activities; or
- B. When action or inaction by the MHC has caused the unit to be unsafe or uninhabitable.

The responsibility for moving costs in other circumstances will be determined on a case by case basis.

16.7 TENANTS IN GOOD STANDING

When the transfer is at the request of the family, it will not be approved unless the family is in good standing with the MHC. This means the family must be in compliance with their lease, current in all payments to the Housing Authority, and must pass a housekeeping inspection. Refer to 16.4.

16.8 TRANSFER REQUESTS

A tenant may request a transfer at any time.

The MHC will grant or deny the transfer request in writing within ten (10) business days of receiving the request.

If the transfer is approved, the family's name will be added to the transfer waiting list.

16.9 RIGHT OF THE MARQUETE HOUSING COMMISSION IN TRANSFER POLICY

The provisions listed above are to be used as a guide to insure fair and impartial means of assigning units for transfers. It is not intended that this policy will create a property right or any other type of right for a tenant to transfer or refuse to transfer.

17.0 INSPECTIONS

An adult family member will inspect the premises prior to commencement of occupancy and turn in the signed Inventory Check List to MHC within seven (7) days. A written statement of the condition of the premises will be made, all equipment will be provided, and the statement will be signed by both parties with a copy retained in the MHC file and a copy given to the family member. An authorized MHC representative will inspect the premises at the time the resident vacates. In accordance with State law, the MHC will furnish a statement of any charges to be made. The resident's security deposit and pet deposit can be used to offset against any MHC damages to the unit.

17.1 MOVE-IN INSPECTIONS

An adult member of the family will inspect the unit prior to move in. Both parties will sign a written statement of the condition of the unit. A copy of the signed inspection will be given to the family and the original will be placed in the tenant file.

17.2 ANNUAL INSPECTIONS

The MHC will inspect each public housing unit annually to ensure that each unit meets the MHC's and HUD's housing standards. Work orders will be submitted and completed to correct any deficiencies.

17.3 PREVENTATIVE MAINTENANCE INSPECTIONS

This is generally conducted along with the annual inspection. This inspection is intended to keep items in good repair. It checks weatherization; checks the condition of the smoke detectors, water heaters, furnaces, automatic thermostats and water temperatures; checks for leaks; and provides an opportunity to change furnace filters and provide other minor servicing that extends the life of the unit and its equipment.

17.4 SPECIAL INSPECTIONS

A special inspection may be scheduled to enable HUD or others to inspect a sample of the housing stock maintained by the MHC or in cases where the MHC has cause to believe a problem exists.

17.5 HOUSEKEEPING INSPECTIONS

At other times as necessary, the MHC will conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition.

17.6 NOTICE OF INSPECTION

For inspections defined as annual inspections, preventative maintenance inspections, special inspections, and housekeeping inspections the MHC will give the tenant at least forty eight (48) hours written notice.

17.7 EMERGENCY INSPECTIONS

If any employee and/or agent of the MHC has reason to believe that an emergency exists within the housing unit, the unit can be entered without notice. The person(s) that enters the unit will leave a written notice to the resident that indicates the date and time the unit was entered and the reason why it was necessary to enter the unit.

17.8 MOVE-OUT INSPECTIONS

The MHC conducts the move-out inspection after the tenant vacates to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the tenant is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the security deposit.

18.0 PET POLICYSECTION XXIII. PET POLICY

The MHC will allow for pet ownership according to the following Policy.

1 APPROVAL

Residents must have prior approval of the MHC before moving a pet into their unit. Approval is contingent upon meeting the requirements of this policy including but not limited to payment of the Pet Deposit, registration, shots, assignment of person to look after pet in owner's absence.

2 TYPES AND NUMBER OF PETS

Residents shall be permitted to have common household pets as listed below:

- A. Birds – Canary, parakeet, finch and other species that are normally kept in cages (birds of prey are not permitted).
- B. Fish – In tanks or aquariums, not to exceed 20 gallons in capacity. Poisonous or dangerous fish are not permitted.

- C. Rodents: Rabbits, hamsters, ferrets, gerbils, rats and mice permitted. However, a family cannot have more than one rabbit, hamster, ferret, gerbil, rat or mouse.

Dogs – Not to exceed 30 lbs in weight and 18” high at the withers. Females must be spayed and males neutered. Seeing eye dogs are an exception on weight and height. No attack or fight-trained dogs permitted.

Cats – Must be neutered or spayed and declawed or have a scratching post.

Dogs and Cats – In case of kittens or puppies too young to be spayed/neutered, they must be spayed/neutered at the earliest age possible and proof of such must be provided to the LSV Office in case of family housing and at Pine Ridge in the case of senior housing.

- D. Resident may have two of any one of the following: lizards, iguana, turtles or frogs.
- B. Exotic pets, such as snakes, monkeys, game pets, etc. will NOT be permitted.
- C. In a household, family may have not more than one dog or one cat. In addition to the one dog or cat, the family may have one other pet as is allowed by this policy. If the family has no dog or cat, they may be permitted to have two other pets of other types allowed and identified in this policy. No family, however, may have more than one rabbit, hamster, gerbil, ferret, mouse or rat. They may have one gerbil and one rabbit, or any combination thereof.

1 INOCULATIONS

Dogs and cats must be inoculated as required by veterinarians for the following:

Dogs

Rabies
Distemper
Hepatitis
Parainfluenza
Paravirus
Lepptosporosis

Cats

Rabies
Feline distemper
Rhinotracheitis
Calici virus
Panleukopenia virus

Every dog and cat must wear a tag containing the owner's name, address and phone number and a valid rabies tag.

All fur-bearing pets must wear flea collars at all times or be on flea prevention medication. This rule must be adhered to for the protection of non-pet residents.

2 PET DEPOSIT

For dogs and cats, pet owner agrees to pay \$100 as a Pet Deposit. This will be over and above the required security deposit to be used as collateral in case of damage in the apartment or Commission property. The Pet Deposit shall be paid in full at the time of admission. In the case of a resident already in possession of an apartment after the adoption of this policy, the full deposit shall be paid before the pet is acquired. The deposit is to be paid at the main office at 316 Pine Street. For LSV, the receipt must be shown at the LSV office to register the pet.

Within thirty (30) days of the move out inspection, the Pet Deposit will be returned to the resident provided there are no pet related damages, unpaid rent, or any other outstanding debts owed the MHC. Should the pet and apartment security deposits exceed debts owed the MHC, such balance will be returned to the resident.

3 FINANCIAL OBLIGATION OF RESIDENTS

Pet owners are liable for any damages caused by their pet. Liability is not limited to the amount of the pet deposit. Resident will be required to reimburse the MHC for any and all real costs caused by his/her pet where damage exceeds the pet deposit.

A \$25.00 per offense clean up charge will be charged to the family for pet waste found in buildings or on Housing Commission property.

4 NUISANCE OR THREAT TO HEALTH OR SAFETY

If the pet poses a nuisance, such as but not limited to, excessive noise, barking, whining, digging, or running loose) which is disruptive to others, owner will remove the pet from the premises within fourteen (14) days of a request to do so by the MHC or face eviction. Unregistered pets or pets not in compliance with this policy must be removed within seven (7) calendar days of notice by the MHC.

Residents who violate the Pet Policy as it relates to dogs and cats, will no longer be permitted to have a dog or cat as long as they resident in MHC property.

Any pet that causes any bodily injury to any resident, guest, visitor or MHC staff member shall be immediately and permanently removed from the premises without prior notification. Such pet may not be replaced because the resident has just demonstrated their inability to control their pet.

5 VISITING PETS

Residents will not be allowed to pet sit or to house a pet without fully complying with this policy (including payment of a Pet Deposit).

6 OTHER CONDITIONS

All pets must be on a leash when not in the owner's home. Leash must be no longer than 4' and dogs must be appropriately and effectively restrained and under the control of a responsible individual at all times. At no time may the animal be tied where it can get into a neighbor's yard.

No pet shall be tied up or left unattended in the common areas or outside of the building(s) (such as the day care center or youth center) at any time on Housing Commission property.

All birds must be provided with, and in a cage when outside the resident's home.

Dogs must be house broken.

Dogs and cats shall not be permitted to excrete anywhere in the building (other than using litter box in resident's home). Pet owner shall be responsible for the immediate removal of feces dropped anywhere in the building or on the grounds. Waste must be placed in a plastic bag, tied securely and deposited directly into the trash.

Kitty litter must be cleaned on a daily basis, disposing of feces in a plastic bag tied securely and placed in the trash.

All apartments with pets must be kept free of pet odors and maintained in a clean and sanitary manner.

No dog houses will be permitted.

At no time will pets be allowed in Polliwog Pond Day Care Center, Youth Center or common areas except when leaving or entering resident's home.

At Pine Ridge, pets are not to be in any common area except to enter or exit the building with their owner. This is a courtesy for those who are allergic to animals.

Every pet must be registered annually with the MHC. Registration includes the following:

Proof of current license (dogs only)	Proof of inoculations
Identification tag	Proof of spaying/neutering if not already provided
Photograph of pet	Cats must be declawed or have a scratching post
Certificate of good health from a vet	

All families who have a pet must designate annually a person to serve as the pet's

custodian when the head of household will be absent from the unit.

Cats and rabbits must be provided with a litter box and be litter box trained. Litter is not to be dumped on MHC property.

7 GRANDFATHER CLAUSE

Any resident in possession of a pet which has been approved by the Marquette Housing Commission prior to the adoption of this policy 1) will be grandfathered in; 2) should something happen to such pet(s) (such as death or run/given away) resident may not get another pet without coming into compliance with this Pet Policy.

19.0 REPAYMENT AGREEMENTS

When a resident owes the MHC back charges and is unable to pay the balance by the due date, the resident may request that the MHC allow them to enter into a Repayment Agreement. The MHC has the sole discretion of whether to accept such an agreement. All Repayment Agreements must assure that the full payment is made within a period not to exceed twelve (12) months or other reasonable period. All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the Resident to eviction procedures.

20.0 TERMINATION

20.1 *TERMINATION BY TENANT*

The tenant may terminate the lease at any time upon submitting a fifteen (15) day notice. If the tenant vacates prior to the end of the fifteen (15) days, they will be responsible for rent through the end of the notice period or until the unit is re-rented, whichever occurs first.

20.2 *TERMINATION BY THE HOUSING AUTHORITY*

The MHC after 10/1/2000 will not renew the lease of any family that is not in compliance with the community service requirement or an approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin.

The MHC will terminate the lease for serious or repeated violations of material lease terms. Such violations include but are not limited to the following:

- A. Nonpayment of rent or other charges;
- B. A history of late rental payments;
- C. Failure to provide timely and accurate information regarding family composition,

income circumstances, or other information related to eligibility or rent;

- D. Failure to allow inspection of the unit;
- E. Failure to maintain the unit in a safe and sanitary manner;
- F. Assignment or subletting of the premises;
- G. Use of the premises for purposes other than as a dwelling unit (other than for housing authority approved resident businesses);
- H. Destruction of property;
- I. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
- J. Any criminal activity on the property or drug-related criminal activity on or off the premises. This includes but is not limited to the manufacture of methamphetamine on the premises of the MHC;

Non-compliance with Non-Citizen Rule requirements;

- L. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the Housing Authority; and
- M. Other good cause.

The MHC will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a State sex offender registration program.

20.3 ABANDONMENT

The MHC considers a unit to be abandoned where a resident has clearly indicated by words or actions an intention not to continue living in the unit. An arrearage in rent owed to the MHC will also be taken into consideration to determine as to whether a unit has been abandoned. Examples include, but are not limited to, observation by any MHC employee of a tenant packing and removing their belongings from a unit, statements made to the MHC by neighbors or relatives or others indicating that a unit has been abandoned or will be abandoned (confirmation will be sought from the tenant as soon as possible, unless it is clear that the tenant has removed their belongings from the unit), or when a tenant has forwarded their mail and/or has not retrieved mail to the premises within a two week period of time. In the event the tenant is away from the unit, without an intent to abandon, it is the tenant's sole responsibility to make arrangements for the pick up of

mail, newspaper, or other such items delivered to their unit. When the MHC considers a unit to be abandoned, it will post a notice on the door of the residence and send a letter by first class mail indicating it's understanding that the unit has been abandoned by the tenant. This notice may be sent at any time the MHC has cause to consider a unit to be abandoned, not limited to the circumstances set forth above.

When a unit has been abandoned, a MHC representative may enter the unit and remove any abandoned personal property left by tenant at the unit. The property will be stored in a reasonably secured place. A notice will be mailed to the resident stating where the property will be stored and demanding the tenant to remove same within 30 days of the date of the notice. If the tenant fails to provide a new address to the MHC, the notice will be mailed to the unit address for forwarding by the U.S. Post Office. However, if mail is returned as undeliverable or by lack of forwarding order, this will be conclusive proof that the tenant has relinquished any claim in the property so abandoned. The notice will likewise provide that if the tenant does not claim the property within 30 days of the date of the notice, the property will be placed for sale. The notice will contain the manner and method of sale to be employed by the MHC, however, the notice sent to the tenant will be the only direct communication notice to the tenant of the MHC's intent to sell or dispose of the property. All sales of property claimed as abandoned by the MHC will be noted by publication in a newspaper of general circulation in the Marquette County area, on or after the 30th day from the date of notice sent to the tenant.

Property sold by the MHC, regardless of value, will take place only after the notice of sale or disposition to the resident (and combined notice of abandonment) has occurred, but in no event earlier than 30 days after the abandonment notice has been provided to the tenant. It is the policy of the MHC to retain family pictures, keepsakes, and personal papers and documents for 60 days after the MHC mails the notice of abandonment to the resident. Family pictures, keepsakes, and personal papers/documents will be disposed on or after the 60th day in the event there has been no contact from the former tenant. Such contact must be in writing with a verified address and telephone number where the former tenant may be reached.

Upon sale of abandoned property, any money so raised will be applied to any sums owed by the tenant or tenant's family to the MHC such as back rent, utility, or other service fees to the premises, as well as the cost of storage and sale of goods. Any funds left over as a result will be forwarded to any forwarding address provided to the MHC by the former tenants, however, if the address is not known, the MHC will keep the money on deposit with a local bank for a period of time not to exceed one year. If the funds are not claimed by the tenant within that time, ownership of the funds will revert to the MHC.

This provision with respect to abandonment does not alter the obligation of the MHC to either return any security deposits paid or to provide a written statement of why the security deposit is being kept. Tenants should make every reasonable effort to advise the MHC of their forwarding address, or of any circumstance which requires them to abandon their unit, in order to prevent the potential loss of personal property by notification of

abandonment and subsequent sale. It is not the desire or the intent of the MHC to declare personal property as abandoned, nor is it the desire or the intent of the MHC to become a depository or auctioneer for property abandoned by tenants. Accordingly, it is the tenant's sole and distinct obligation to notify the MHC of any circumstances, which give rise to possible abandonment of the unit and/or other reasons for termination of their tenancy.

20.4 RETURN OF SECURITY DEPOSIT

After a family moves out, the MHC will return the security deposit and pet deposit within 30 days or give the family a written statement of why all or part of the security deposit is being kept. The rental unit must be restored to the same conditions as when the family moved in, except for normal wear and tear. Deposits will not be used to cover normal wear and tear or damage that existed when the family moved in.

If State law requires the payment of interest on security deposits, it shall be complied with.

The MHC will be considered in compliance with the above if the required payment, statement, or both, are deposited in the U.S. mail with first class postage paid within 30 days.

GLOSSARY

50058 Form: The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process and, at the option of the housing authority, for interim reexaminations.

1937 Housing Act: The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100)

Adjusted Annual Income: The amount of household income, after deductions for specified allowances, on which tenant rent is based. (24 CFR 5.611)

Adult: A household member who is 18 years or older or who is the head of the household, or spouse, or co-head.

Allowances: Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly families, disability expenses, and child care expenses for children under 13 years of age. Other allowance can be given at the discretion of the housing authority.

Annual Contributions Contract (ACC): The written contract between HUD and a housing authority under which HUD agrees to provide funding for a program under the 1937 Act, and the housing authority agrees to comply with HUD requirements for the program. (24 CFR 5.403)

Annual Income: All amounts, monetary or not, that:

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- C. Are not specifically excluded from annual income.

Annual Income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access. (1937 Housing Act; 24 CFR 5.609)

Applicant (applicant family): A person or family that has applied for admission to a program but is not yet a participant in the program. (24 CFR 5.403)

Assets: The value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles are not counted as assets. (Also see "net family assets.")

Asset Income: Income received from assets held by family members. If assets total more than \$5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income. (See "imputed asset income" below.)

Bugs: Any creepy, crawly creature, including but not limited to roaches.

Certification: The examination of a household's income, expenses, and family composition to determine the family's eligibility for program participation and to calculate the family's share of rent.

Child: For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age. (24 CFR 5.504(b))

Child Care Expenses: Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. (24 CFR 5.603(d))

Citizen: A citizen or national of the United States. (24 CFR 5.504(b))

Consent Form: Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participant to determine eligibility or level of benefits. (24 CFR 5.214)

Decent, Safe, and Sanitary: Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

Department: The Department of Housing and Urban Development. (24 CFR 5.100)

Dependent: A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student. (24 CFR 5.603(d))

Dependent Allowance: An amount, equal to \$480 multiplied by the number of dependents, that is deducted from the household's annual income in determining adjusted annual income.

Disability Assistance Expenses: Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled

member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source. (24 CFR 5.603(d))

Disability Assistance Expense Allowance: In determining adjusted annual income, the amount of disability assistance expenses deducted from annual income for families with a disabled household member.

Disabled Family: A family whose head, spouse, or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. (24 CFR 5.403(b)) (Also see "person with disabilities.")

Disabled Person: See "person with disabilities."

Displaced Family: A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (24 CFR 5.403(b))

Displaced Person: A person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. *[1937 Act]*

Drug-Related Criminal Activity: Drug trafficking or the illegal use, or possession for personal use, of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

Elderly Family: A family whose head, spouse, or sole member is a person who is at least 62 years of age; two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides. (24 CFR 5.403)

Elderly Family Allowance: For elderly families, an allowance of \$400 is deducted from the household's annual income in determining adjusted annual income.

Elderly Person: A person who is at least 62 years of age. (1937 Housing Act)

Extremely low-income families: Those families whose incomes do not exceed 30% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

Exterminator: Person who is qualified to spray for bugs.

Fair Housing Act: Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.). (24 CFR 5.100)

Family includes but is not limited to:

- A. A family with or without children;
- B. An elderly family;
- C. A near-elderly family;
- D. A disabled family;
- E. A displaced family;
- F. The remaining member of a tenant family; and
- G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family. (24 CFR 5.403)

Family Members: All members of the household other than live-in aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease.

Flat Rent: A rent amount the family may choose to pay in lieu of having their rent determined under the formula method. The flat rent is established by the housing authority set at the lesser of the market value for the unit or the cost to operate the unit. Families selecting the flat rent option have their income evaluated once every three years, rather than annually.

Formula Method: A means of calculating a family's rent based on 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the formula method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

Full-Time Student: A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. (24 CFR 5.603(d))

Head of Household: The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. (24 CFR 5.504(b))

Household Members: All members of the household including members of the family, live-in aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members are listed on the lease.

Housing Assistance Plan: A housing plan that is submitted by a unit of general local government and approved by HUD as being acceptable under the standards of 24 CFR 570.

Imputed Income: For households with net family assets of more than \$5,000, the amount

calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

In-Kind Payments: Contributions other than cash made to the family or to a family member in exchange for services provided or for the general support of the family (e.g., groceries provided on a weekly basis, baby sitting provided on a regular basis).

Interim (examination): A reexamination of a family income, expenses, and household composition conducted between the regular annual recertifications when a change in a household's circumstances warrants such a reexamination.

Live-In Aide: A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities and who:

- A. Is determined to be essential to the care and well-being of the persons;
- B. Is not obligated for the support of the persons; and
- C. Would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.403(b))
- D. Must be verified in writing by a licensed physician.

Low-Income Families: Those families whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes. (1937Act)

Medical Expenses: Medical expenses (of all family members of an elderly or disabled family), including medical insurance premiums, that are anticipated during the period for which annual income is computed and that are not covered by insurance. (24 CFR 5.603(d)). These expenses include, but are not limited to, prescription and non-prescription drugs, costs for doctors, dentists, therapists, medical facilities, care for a service animals, transportation for medical purposes.

Mixed Family: A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status. (24 CFR 5.504(b))

Monthly Adjusted Income: One twelfth of adjusted income. (24 CFR 5.603(d))

Monthly Income: One twelfth of annual income. (24 CFR 5.603(d))

National: A person who owes permanent allegiance to the United States, for example, as a result

of birth in a United States territory or possession. (24 CFR 5.504(b))

Near-Elderly Family: A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides. (24 CFR 5.403(b))

Net Family Assets:

- A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- B. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
- B. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an
- C.
- D. applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

Non-Citizen: A person who is neither a citizen nor national of the United States. (24 CFR 5.504(b))

Occupancy Standards: The standards that a housing authority establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

Person with Disabilities: A person who:

- A. Has a disability as defined in Section 223 of the Social Security Act, which states:

"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than

12 months, or

In the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial, gainful activity requiring skills or ability comparable to those of any gainful activity in which (s)he has previously engaged with some regularity and over a substantial period of time."

B. Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment that:

1. Is expected to be of long-continued and indefinite duration;
2. Substantially impedes his or her ability to live independently; and
3. Is of such a nature that such ability could be improved by more suitable housing conditions, or

C. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, which states:

"Severe chronic disability that:

1. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
2. Is manifested before the person attains age 22;
3. Is likely to continue indefinitely;
4. Results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care, (2) receptive and responsive language, (3) learning, (4) mobility, (e) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and
5. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated."

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. (1937 Act)

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

Proration of Assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR 5.520)

Public Housing Agency (PHA): Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing under the 1937 Housing Act. (24 CFR 5.100)

Recertification: The annual reexamination of a family's income, expenses, and composition to determine the family's rent.

Remaining Member of a Tenant Family: A member of the family listed on the lease who continues to live in the public housing dwelling after all other family members have left. (Handbook 7565.1 REV-2, 3-5b.)

Self-Declaration: A type of verification statement by the tenant as to the amount and source of income, expenses, or family composition. Self-declaration is acceptable verification only when third-party verification or documentation cannot be obtained.

Single Person: Someone living alone or intending to live alone who does not qualify as an elderly family, a person with disabilities, a displaced person, or the remaining member of a tenant family. (Public Housing: Handbook 7465.1 REV-2, 3-5)

State Wage Information Collection Agency (SWICA): The State agency receiving quarterly wage reports from employers in the State or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information. (24 CFR 5.214)

Temporary Assistance to Needy Families (TANF): The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.

Tenant: The person or family renting or occupying an assisted dwelling unit. (24 CFR 5.504(b))

Tenant Rent: The amount payable monthly by the family as rent to the housing authority. Where all utilities (except telephone) and other essential housing services are supplied by the housing authority or owner, tenant rent equals total tenant payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the housing authority and the cost thereof is not included in the amount paid as rent, tenant rent equals total tenant payment less the utility allowance. (24 CFR 5.603(d))

Third-Party (verification): Written or oral confirmation of a family's income, expenses, or household composition provided by a source outside the household.

Total Tenant Payment (TTP):

- A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:
1. Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of :
 - a. 30% of the family's monthly adjusted income;
 - b. 10% of the family's monthly income; or
 - c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.
- If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under section 3(a)(1) shall be the amount resulting from one application of the percentage.
2. Total tenant payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.
- B. Total tenant payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996), will continue to govern the total tenant payment of families, under a public housing program, whose initial lease was effective before August 1, 1982.

Utility Allowance: If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made by a housing authority of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment. (24 CFR 5.603)

Utility Reimbursement: The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the total tenant payment for the family occupying the unit. (24 CFR 5.603)

Very Low-Income Families: Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller

and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 Act)

Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded by Federal, State or local governments. (24 CFR 5.603(d))

Acronyms

ACC	Annual Contributions Contract
CFR	Code of Federal Regulations
FSS	Family Self Sufficiency (program)
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
MHC	Marquette Housing Commission
NAHA	(Cranston-Gonzalez) National Affordable Housing Act
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
PHA	Public Housing Agency
QHWR	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Tenant Payment

Appendix I

Income Limits and Deconcentration Worksheet

Development Name	Number of Units Under ACC	Number of Occupied Units	Number of Units Occupied by Very Poor Families	% Occupied by Very Poor Families

%Very Poor in

Census Tract

Target Number

Number Needed of below 30% of median area income

Number Needed above 30% of median area income

Waiting list number of families Appendix 2

**MARQUETTE HOUSING COMMISSION
COMPLIANCE OF COMMUNITY SERVICE**

All persons residing in Public Housing who have no income shall/are required to perform 8 hours of community service per month or 96 hours annually. Residents with zero income who are not exempt as determined by HUD are given a log sheet that requires signature & telephone verification by a supervisor. These forms are turned into the Marquette Housing Commission on a monthly basis and community service hours are monitored and logged by the Occupancy Specialist. A letter is sent to the resident stating how many hours they have been credited with that month and the total number of hours that have been applied toward the needed 96 annual hours. A new log sheet is also included with the letter for the following month.



Minneapolis State Housing Development Authority
1000 W. Lake St., 10th Floor, Suite 1000
Minneapolis, MN 55408
100 South Washington Square, 10th Floor, Suite 1000
Minneapolis, MN 55408

State of Michigan
 Jim Popple, Treasurer
 Department of Education
 Lansing, Michigan 48906

Apr 12, 2011

[illegible]

¹ The Court of Appeal has also taken the same case as a precedent.

• **Let** = **in**

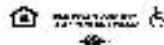
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V MI 070 C-2

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

**Certification by State or Local Official of PHA Plans Consistency with
the Consolidated Plan**

I, Martha Baumgart the State of Michigan Consolidated Plan Coordinator certify that the Five Year
and Annual PHA Plan of the Marquette Housing Commission is consistent with the Consolidated
Plan of the State of Michigan prepared pursuant to 24 CFR Part 91.

Martha Baumgart 4/10/01
Signed/Dated by Appropriate State or Local Official

Certification by State and Local Official of PHA Plans Consistency with the Consolidated Plan to Accompany the HUD Section 108
OMB Approval No. 2577-0228
Expires 03/31/2008
1/25981
Page 1 of 1

pg 2 of 2

Attachment I

**MARQUETTE HOUSING COMMISSION
GRIEVANCE PROCEDURE
3/29/01**

The Hearing Officer and the Marquette Housing Commission in the instance of any grievance involving construction or interpretation of the Resident's lease shall seek the advice of legal counsel of the Marquette Housing Commission and shall construe the lease in accordance with such advice. In all instances where the Resident has a grievance that involves applicable Federal, State or local law or shall involve U.S. Department of Housing and Urban Development rules and regulations or the requirements of the annual contributions contract between HUD and the MHC, resolutions shall be sought by or through separate court action and is not subject to this Grievance Procedure.

I. DEFINITIONS

For the purpose of this Grievance Procedure, the following definitions shall apply:

- A. "Grievance" is defined as any dispute which a tenant personally may have with respect to the Marquette Housing Commission's action or failure to act in accordance with the resident's lease or in accordance with any applicable state or Federal public housing rule and regulation or in accordance with any established rule or procedure of the Marquette Housing Commission which adversely affects that resident's rights. This also applies to the Section 8 Voucher Program.
- B. "Grievant" is defined as any resident whose grievance is presented to the Marquette Housing Commission in accordance with these procedures.
- C. "Hearing Officer" is the Executive Director of the Marquette Housing Commission.
- D. "Grievance Officer" is defined as an impartial person appointed by the MHC (not the same person who conducted the Informal Hearing) to Conduct the Formal Hearing and render a decision based on the facts presented. Such Grievance Officer may not have any interest, direct or indirect, in the MHC, the resident, or in the outcome of the Formal

Hearing.

- E. “Resident” is defined as any person who has executed a written lease that is owned, leased and/or operated by the MHC. A Resident may be represented by another person when authorized by the Resident in writing to the MHC.

II. SELECTION OF THE HEARING OFFICER

- A. Informal hearings are performed by the Executive Director of the MHC.
- B. In the absence of the Executive Director, a member of the Board of Commissioners may be asked to perform the Informal Hearing. Annually, the MHC Board Chair Person shall appoint from it’s members, the person who will perform as Informal Hearing Officer in the absence of the Executive Director.

III. INFORMAL HEARING PROCEDURE (Public Housing and Section 8 Voucher Program)

- A. Any resident who believes (s)he has a grievance may present such grievance in writing to the MHC at its offices located at 316 Pine Street, Marquette, Mi.
- B. Within seven (7) calendar days after the grievance has been presented, the Executive Director(Hearing Officer) of the MHC shall meet with the grieving resident to discuss the grievance. The purpose of this Informal Hearing is to discuss and hopefully resolve the grievance without further Proceedings.
- C. With seven (7) calendar days after the meeting, the Hearing Officer shall Prepare a summary of the meeting. The summary shall include the name of the complainant, names of all persons attending the meeting, the date of the meeting, the nature of the grievance, the Hearing Officer’s proposed resolution of the grievance, and notice that, if the grievant is not satisfied, the steps (s)he must take to request a Formal Hearing (Public Housing Only – Section 8 Voucher recipients are not entitled to the Formal Grievance Procedure). One copy shall be mailed to the grievant and one kept for the MHC files.

IV. FORMAL GRIEVANCE PROCEDURE (Public Housing Only).

A. Requesting a Formal Hearing

- 1. If the Grievant is dissatisfied with the Informal Hearing

Officer's proposed resolution of the grievance, grievant shall submit a written request for a hearing before the Grievance Officer within seven (7) calendar days of the mailing of the Informal Hearing Officer's summary. This request shall be presented in writing at the MHC offices at 316 Pine Street, Marquette, Michigan. The request shall be date-stamped and a receipt shall be given to the grievant indicating the date and time the request was received.

2. The written request for a hearing shall specify all the reasons for the grievance, the basis of objection to the Informal Hearing Officer's proposed resolution, and the action or relief sought.

3. If the grievant does not request a hearing within the seven (7) day period, the right to a hearing is waived and the Informal Hearing Officer's proposed resolution of the grievance becomes final. However, the waiver of hearing shall in no way constitute a waiver of the grievant's right to contest the matter grieved in an appropriate judicial proceeding.

A. Conduct of Grievance Hearing

1. A grievant must have first completed the Informal Hearing procedure before requesting a Formal Grievance. However, the Grievance Officer may waive the requirement of a prior Informal Hearing, if and only if, the grievant can show good cause why an Informal Hearing was not held.

2. The Grievance Officer shall schedule a hearing promptly (but not to exceed seven (7) calendar days after timely receipt of the request for a hearing. The hearing shall be held at a time and place reasonably convenient to both the grievant and the MHC. A written notification specifying the time and place of the hearing shall be provided to grievant and MHC at least three (3) work days prior to the hearing.

3. The grievant will be given the opportunity to examine before the hearing any MHC documents that are directly relevant to the hearing. The grievant will be allowed to copy any such document at the grievant's expense. If the MHC does not make the document(s) available for examination on request of the grievant, the MHC may not rely on the document(s) at the hearing.

The MHC will be given the opportunity to examine before the hearing any grievant's documents that are directly relevant to the

hearing. The MHC will be allowed to copy any such documents at the MHC's expense. If the family does not make the document(s) available for examination on request of the MHC, the grievant may not rely on the document(s) at the hearing.

3. The hearing, unless so requested by the grievant and the MHC, shall be a private hearing.

4. The grievant or MHC may be represented at the hearing by legal counsel or any other person chosen by him/her as his/her representative. However, grievant must notify the MHC in writing at least three days prior to the hearing, of this intent.

5. The grievant shall have the right to present evidence and argument in support of his/her grievance, to controvert evidence relied on by the MHC, and to confront and cross examine all witnesses on whose testimony or information the MHC has relied.

6. At the hearing, the grievant must first make a showing that (s)he is entitled to the relief (s)he is seeking and, thereafter, the MHC must sustain the burden of justifying the action proposed to be taken by the MHC.

7. The hearing shall be conducted in such a way to be:

- a. Informal: Oral or documentary evidence pertinent to the facts and issues raised by the grievance may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings.
- b. Orderly: The Grievance Officer shall require the MHC, Grievant, counsel, and other participants to conduct themselves in an orderly manner. Failure to comply with the direction of the Grievance Officer to maintain order may result in exclusion from the proceedings or a decision adverse to the interest of the disorderly party such as granting or denial of the relief sought as may be appropriate.

A. Decision of the Grievance Officer

1. The Grievance Officer shall make a decision based solely and explicitly upon the facts presented at the hearing.

2. If the grievant or MHC fails to appear at the scheduled hearing,

Grievance Officer may make a determination to postpone the hearing to a date within five (5) working days or make a determination that the party has waived its right to be heard and proceed to hear the grievance before it. Such a determination, however, in no way waives the grievant's right to an appropriate judicial procedure.

3. Within seven (7) calendar days following the hearing, the Grievance Officer shall provide the grievant and the MHC with a written decision including reasons therefore.

V. GRIEVANCES INVOLVING EVICTION

A. If the grievant requests a hearing which involves termination of tenancy, the MHC shall not proceed with the eviction action until and unless the Grievance Officer has rendered a decision in the MHC's favor.

B. If the Grievance Officer renders a decision in favor of the MHC's action, MHC may proceed with the Summons and Complaint and Writ of Restitution following the proper court procedures.

VI. GRIEVANCE PROCEDURE EXCLUSIONS

A. The grievance procedure will be excluded for the following cases:

1. An eviction for "any criminal activity that threatens the health, safety or right of peaceful enjoyment of the premises of other residents, MHC employees or others";

2. An eviction for "any drug-related criminal activity on or near such premises of the MHC", and

3. Being a sex offender (applies to anyone who is on the lease or Resident is allowing a person who is on the State's Sex Offenders list to stay with them).

**Certification of Payments
to Influence Federal Transactions**

V MI070 N-3
U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

Applicant Name

MARQUETTE HOUSING COMMISSION

Program/Activity Receiving Federal Grant Funding

CAPITAL FUND

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

BONNIE J. PELTO

Title

EXECUTIVE DIRECTOR

Signature

Bonnie J. Pelt

Date (mm/dd/yyyy)

5/31/01

Previous edition is obsolete

form HUD 50071 (3/98)
ref. Handbooks 7417.1, 7475.13, 7485.1, & 7485.3

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SECTION 8 ADMINISTRATIVE PLAN

3/13/01

1.0 EQUAL OPPORTUNITY

1.1 FAIR HOUSING

It is the policy of the Marquette Housing Commission to comply fully with all Federal, State, and local nondiscrimination laws; the Americans With Disabilities Act; and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

No person shall, on the grounds of race, color, sex, religion, national or ethnic origin, familial status, sexual preference, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the MHC housing programs.

To further its commitment to full compliance with applicable Civil Rights laws, the MHC will provide Federal/State/local information to applicants for and participants in the Section 8 Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination.

The MHC will assist any family that believes they have suffered discrimination and will provide them with the address of the nearest HUD Office of Fair Housing and Equal Opportunity or State Civil Rights.

1.2 REASONABLE ACCOMMODATION

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of the MHC housing programs and related services. When such accommodations are granted they do not confer special treatment or advantage for the person with a disability; rather, they make the program fully accessible to them in a way that would otherwise not be possible due to their disability. This policy clarifies how people can request accommodations and the guidelines the MHC will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the MHC will ensure that all applicants/participants are aware of the opportunity to request reasonable accommodations.

1.3 COMMUNICATION

Notifications of reexamination, inspection, appointment, or eviction will include information about requesting a reasonable accommodation. Any notification requesting action by the participant will include information about requesting a reasonable accommodation.

All decisions granting or denying requests by the MHC will be in writing.

Under the Voucher Program, request for accommodation will apply only to access to our programs. Any accommodation requests regarding the dwelling unit itself must be presented to the landlord.

1.4 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION

- A. Is the requestor a person with disabilities? For this purpose the definition of disabilities is different than the definition used for admission. The Fair Housing definition used for this purpose is:

A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment. (The disability may not be apparent to others, i.e., a heart condition).

If the disability is apparent or already documented, the answer to this question is yes. It is possible that the disability for which the accommodation is being requested is a disability other than the apparent disability. If the disability is not apparent or documented, the MHC will obtain verification that the person is a person with a disability.

- B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the MHC will obtain documentation that the requested accommodation is needed due to the disability. The MHC will not inquire as to the nature of the disability.
- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:
1. Would the accommodation constitute a fundamental alteration? The MHC's business is housing. If the request would alter the fundamental business that the MHC conducts, that would not be reasonable. For instance, the MHC would deny a request to have the MHC do grocery shopping for the person with disabilities.
 2. Would the requested accommodation create an undue financial hardship or

administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the MHC may request a meeting with the individual to investigate and consider equally effective alternatives.

Generally the individual knows best what they need; however, the MHC retains the right to be shown how the requested accommodation enables the individual to access or use the MHC's programs or services.

If more than one accommodation is equally effective in providing access to the MHC's programs and services, the MHC retains the right to select the most efficient or economic choice.

PHYSICAL MODIFICATIONS TO THE DWELLING UNIT

If the participant requests, as a reasonable accommodation, that (s)he be permitted to make physical modifications to their dwelling unit, at their own expense, the request should be made to the property owner/manager. The MHC does not have responsibility for the owner's unit and does not have responsibility to make the unit accessible.

Any request for an accommodation that would enable a participant to materially violate Family obligations will not be approved.

1.5 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND PARTICIPANTS

The MHC will endeavor to have bilingual staff or access to people who speak languages other than English to assist non-English speaking families.

1.6 FAMILY/OWNER OUTREACH

The MHC will publicize the availability and nature of the Section 8 Program for extremely low-income, very low and low-income families in a newspaper of general circulation, minority media, and by other suitable means as needed.

To reach persons, who cannot or do not read newspapers, the MHC will distribute fact sheets to the broadcasting media and initiate personal contacts with members of the news media and community service personnel. The MHC will also try to utilize public service announcements as needed.

The MHC will communicate the status of program availability to other service providers in the community and advise them of housing eligibility factors and guidelines so that they can make proper referral of their clients to the program.

When owners call we explain who can participate in the Section 8 Program. The

explanation is intended to:

- A. Explain how the program works;
- B. Explain how the program benefits owners;
- C. Explain owners' responsibilities under the program. Emphasis is placed on quality screening and ways the MHC helps owners do better screening; and
- D. Provide an opportunity for owners to ask questions, obtain written materials, and meet MHC staff.
- E. The MHC owner information brochure. This brochure can be given to a prospective owner to help explain the program if owner requests additional information. It will also go out with the HAP contract.

1.7 RIGHT TO PRIVACY

All adult members of both applicant and participant households are required to sign HUD Form 9886, Authorization for Release of Information and Privacy Act Notice. The Authorization for Release of Information and Privacy Act Notice states how family information will be released and includes the Federal Privacy Act Statement.

Any request for applicant or participant information will not be released unless there is a signed release of information request from the applicant or participant.

1.8 REQUIRED POSTINGS

The MHC will post in its office in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, that the following are available for review upon request:

- A. The Section 8 Administrative Plan
- B. Notice of the status of the waiting list (opened or closed)
- C. Address of all MHC offices, office hours, telephone numbers, TDD numbers, and hours of operation
- D. Income Limits for Admission
- E. Informal Review and Informal Hearing Procedures
- F. Fair Housing Poster

G. Equal Opportunity in Employment Poster

2.0 MHC/OWNER RESPONSIBILITY/ OBLIGATION OF THE FAMILY

This Section outlines the responsibilities and obligations of the MHC, the Section 8 Owners/Landlords, and the participating families.

2.1 MHC HOUSING AUTHORITY RESPONSIBILITIES

- A. The MHC will comply with the consolidated ACC, the application, HUD regulations and other requirements, and the MHC Section 8 Administrative Plan.
- B. In administering the program, the MHC must:
 - 1. Publish and disseminate information about the availability and nature of housing assistance under the program as necessary;
 - 2. Explain the program to owners and families;
 - 3. Seek expanded opportunities for assisted families to locate housing outside areas of poverty or racial concentration;
 - 4. Encourage owners to make units available for leasing in the program, including owners of suitable units located outside areas of poverty or racial concentration;
 - 5. Affirmatively further fair housing goals and comply with equal opportunity requirements;
 - 6. Make efforts to help disabled persons find satisfactory housing via referrals;
 - 7. Receive applications from families, determine eligibility, maintain the waiting list, select applicants, issue a voucher to each selected family, screen for drug-related activity and provide housing information to families selected;
 - 8. Determine who can live in the assisted unit at admission and during the family's participation in the program;
 - 9. Obtain and verify evidence of citizenship and eligible immigration status

in accordance with 24 CFR part 5;

10. Review the family's request for approval of the tenancy and the owner/landlord lease, including the HUD prescribed tenancy addendum;
11. Inspect the unit before the assisted occupancy begins and at least annually during the assisted tenancy;
12. Determine the amount of the housing assistance payment for a family;
13. Determine the maximum rent to the owner and whether the rent is reasonable;
14. Make timely housing assistance payments to an owner in accordance with the HAP contract;
15. Examine family income, size and composition at admission and during the family's participation in the program. The examination includes verification of income and other family information;
16. Establish and adjust MHC utility allowance;
17. Administer and enforce the housing assistance payments contract with an owner, including taking appropriate action as determined by the MHC, if the owner defaults (e.g., HQS violation);
18. Determine whether to terminate assistance to a participant family for violation of family obligations;
19. Conduct informal reviews of certain MHC decisions concerning applicants for participation in the program if necessary;
20. Conduct informal hearings on certain MHC decisions concerning participant families if necessary;
21. Provide sound financial management of the program, including engaging an independent public accountant to conduct audits; and

2.2 OWNER RESPONSIBILITY

- A. The owner is responsible for performing all of the owner's obligations under the HAP contract and the lease.

- B. The owner is responsible for:
1. Performing all management and rental functions for the assisted unit, including selecting a voucher holder to lease the unit, and deciding if the family is suitable for tenancy of the unit.
 2. Maintaining the unit in accordance with HQS, including performance of ordinary and extraordinary maintenance.
 3. Complying with equal opportunity requirements.
 4. Preparing and furnishing to the MHC information required under the HAP contract.
 5. Collecting from the family:
 - a. Any security deposit required under the lease.
 - b. The tenant contribution (the part of rent to owner not covered by the housing assistance payment.
 - c. Any charges for unit damage by the family.
 6. Enforcing tenant obligations under the lease.
 7. Paying for utilities and services (unless paid by the family under the lease.)
 8. Evictions, if necessary.
- C. For provisions on modifications to a dwelling unit occupied or to be occupied by a person with disabilities see 24 CFR 100.203.
- D. The MHC Owner Information Brochure: this brochure can be given to a prospective owner to help explain the program if owner requests additional information.

2.3 OBLIGATIONS OF THE PARTICIPANT

This Section states the obligations of a participant family under the program. To be submitted at the time of application.

- A. Supplying required information.

1. The family must supply any information that the MHC or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status. Information includes any requested certification, release or other documentation.
2. The family must supply any information requested by the MHC or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.
3. The family must disclose and verify Social Security Numbers and must sign and submit consent forms for obtaining information. Birth certificates (or other suitable proof) for all family members are also required.
4. Any information supplied by the family must be true and complete.

Deadline for changes – In order for changes to be made for either tenants or landlords; moves, changes in address; sale of property; portability, etc. Section 8 staff must have received the new information by the 22nd of the month. If information regarding changes is not received, the Housing Assistance Payment will go to the current owner of record. If changes occur on or after the 22nd, parties are to petition Section 8 staff to hold payment. In order to do this, owners, etc. must bring in documentation such as deed, court order or legal notice of change, in order to justify holding current payment. In most cases, Section 8 staff will verify ownership with City Tax Assessors office, and payment will be made to party(ies) declared on the record.

B. HQS breach caused by the Family

The family is responsible for any HQS breach caused by the family or its guests.

C. Allowing MHC Inspection

The family must allow the MHC to inspect the unit at reasonable times and after at least 2 days notice.

D. Violation of Lease

The family may not commit any serious or repeated violation of the lease.

E. Family Notice of Move or Lease Termination

The family must notify the MHC and the owner before the family moves out of the unit or terminates the lease by a notice to the owner. Family is required to give thirty (30) day notice to landlord with copy simultaneously given to the MHC.

F. Owner Eviction Notice

The family must promptly give the MHC a copy of any owner eviction notice it receives.

G. Use and Occupancy of the Unit

1. The family must use the assisted unit for a residence by the family. The unit must be the family's only residence.
2. The MHC must approve the composition of the assisted family residing in the unit. The family must promptly inform the MHC of the birth, adoption or court-awarded custody of a child. The family must request approval from the MHC to add any other family member or others as an occupant of the unit. No other person (i.e., no one but members of the assisted family) may reside in the unit (except for a foster child/foster adult, live-in aide, or roommates as provided below and in paragraph (4) of this Section).

Roommates are permitted with Landlord approval but will have no impact on rent subsidy or unit size. Rent, subsidy and unit size are based entirely on the applicant and his/her family members who are to reside in the unit. However, Lease-Holder must report the roommate's name, social security number and birth date within ten (10) days of moving into the unit.

3. The family must notify the MHC within ten (10) days if any family member no longer resides in the unit.
4. If the MHC has given approval, a foster child/foster adult or a live-in aide may reside in the unit. The MHC has the discretion to adopt reasonable policies concerning residence by a foster child/foster adult or a live-in aide and defining when the MHC consent may be given or denied.
5. Members of the household may engage in legal profit making activities in the unit, but only if such activities are incidental to primary use of the unit for residence by members of the family. Any business uses of the unit must comply with zoning requirements and the affected household member must obtain all appropriate licenses. This is predicated on Landlord's approval.

6. The family must not sublease or let the unit.
7. The family must not assign the lease or transfer the unit.

H. Absence from the Unit

The family must supply any information or certification requested by the MHC to verify that the family is living in the unit, or relating to family absence from the unit, including any MHC requested information or certification on the purposes of family absences. The family must cooperate with the MHC for this purpose. The family must notify the MHC within ten (10) days of its absence from the unit.

Absence means that no member of the family is residing in the unit. The family may be absent from the unit for up to 30 days. The family must request permission from the MHC for absences exceeding 30 days. The MHC will make a determination within 5 business days of the request. An authorized absence may not exceed 180 days. Any family absent for more than 30 days without authorization will be terminated from the program.

Authorized absences may include, but are not limited to:

1. Prolonged hospitalization
2. Absences beyond the control of the family (i.e., death in the family, other family member illness)
3. Other absences that are deemed necessary by the MHC

I. Interest in the Unit

The family may not own or have any interest in the unit (except for owners of manufactured housing renting the manufactured home space).

J. Fraud and Other Program Violation

The members of the family must not commit fraud, bribery, or any other corrupt or criminal act in connection with subsidized housing programs. If fraud is found, the participants contribution should have been greater than was calculated, rent will be charged retroactively and the participant will be required to reimburse the MHC for their overpayment of the HAP.

K. Crime by Family Members

The members of the family may not engage in drug-related criminal activity. If it

is found that members of the family have engaged in drug-related criminal activity, they will be terminated from the program immediately, without prior notice.

L. Other Housing Assistance

An assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) Federal, State or local housing assistance program. If this is found, family will be required to pay back the MHC for any payments made on family's behalf.

3.0 ELIGIBILITY FOR ADMISSION

3.1 INTRODUCTION

There are five eligibility requirements for admission to Section 8 -- qualifies as a family, has an income within the income limits, meets citizenship/eligible immigrant criteria, provides birth certificates (or other suitable proof), provides documentation of Social Security Numbers, and signs consent authorization documents. In addition to the eligibility criteria, families must also meet the MHC screening criteria in order to be admitted to the Section 8 Program.

3.2 ELIGIBILITY CRITERIA

A. Family status.

1. **A family with or without children.** Such a family is defined as a group of people related by blood, marriage, adoption or affinity that lives together in a stable family relationship.
 - a. Children temporarily absent from the home due to placement in foster care are considered family members.
 - b. Unborn children and children in the process of being adopted are considered family members for purposes of determining bedroom size, but are not considered family members for determining income limit.
2. **An elderly family**, which is:
 - a. A family whose head, spouse, or sole member is a person who is at

least 62 years of age;

- b. Two or more persons who are at least 62 years of age living together; or
- c. One or more persons who are at least 62 years of age living with one or more live-in aides

3. A **near-elderly family**, which is:

- a. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62;
- b. Two or more persons who are at least 50 years of age but below the age of 62 living together; or
- c. One or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides.

4. A **disabled family**, which is:

- a. A family whose head, spouse, or sole member is a person with disabilities;
- b. Two or more persons with disabilities living together; or
- c. One or more persons with disabilities living with one or more live-in aides.

5. A **displaced family** is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

6. A **remaining member of a tenant family**. When the head of household of record leaves the household, all other members of that household are “a remaining member of a tenant family.”

7. A **single person** who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family. Person must be 18 years of age or older to qualify for the program.

B. Income eligibility

1. To be eligible to receive assistance a family shall, at the time the family initially receives assistance under the Section 8 program shall be a low-income family that is:
 - a. A very low-income family;
 - b. A low-income family continuously assisted under the 1937 Housing Act;
 - c. A low-income family that meets additional eligibility criteria specified by the Housing Authority;
 - d. A low-income family that is a nonpurchasing tenant in a HOPE 1 or HOPE 2 project or a property subject to a resident homeownership program under 24 CFR 248.173;
 - e. A low-income family or moderate-income family that is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing.
 - f. A low-income family that qualifies for voucher assistance as a non-purchasing family residing in a HOPE 1 (HOPE for public housing homeownership) or HOPE 2 (HOPE for homeownership of multifamily units) project.
2. Income limits apply only at admission and are not applicable for continued occupancy; however, as income rises the assistance will decrease.
3. The applicable income limit for issuance of a voucher is the highest income limit for the family size for areas within the housing authority's jurisdiction. The applicable income limit for admission to the program is the income limit for the area in which the family is initially assisted in the program. The family may only use the voucher to rent a unit in an area where the family is income eligible at admission to the program.
4. Families who are moving into the MHC's jurisdiction under portability and are already program participants at their initial housing authority do not have to meet the income eligibility requirement for the MHC program.
5. Income limit restrictions do not apply to families transferring units within the MHC Section 8 Program.

C. Citizenship/Eligible Immigrant status

To be eligible each member of the family must be a citizen, national, or a noncitizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).

Family eligibility for assistance.

1. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
2. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 11.5(K) for calculating rents under the noncitizen rule).
3. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

To be eligible, all family members must provide a Social Security Number or certify that they do not have one.

E. Birth Certificates: Family must provide birth certificates (or other suitable proof) for all family members.

F. Signing Consent Forms

1. In order to be eligible each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.
2. The consent form must contain, at a minimum, the following:
 - a. A provision authorizing HUD and the MHC to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy. Obtain information necessary to complete or verify the application for

participation for eligibility for continued occupancy; and

- b. A provision authorizing HUD or the MHC to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
 - c. A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
 - d. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.
 - e. Permission to run a confidential police check.
- G. The MHC will check with the State sex offender registration program and will ban for life any individual who is registered as a lifetime sex offender.

4.0 MANAGING THE WAITING LIST

4.1 *OPENING AND CLOSING THE WAITING LIST*

Opening of the waiting list will be announced via public notice that applications for Section 8 will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation, and also by any available minority media. The public notice will state any limitations to who may apply. The notice will include the Fair Housing logo and slogan and otherwise be in compliance with Fair Housing requirements.

Closing of the waiting list will be announced via public notice. The public notice will state the date the waiting list will be closed. The public notice will be published in a local newspaper of general circulation, and also by any available minority media.

4.2 *TAKING APPLICATIONS*

Families wishing to apply for the Section 8 Program will be required to complete an application for housing assistance. Applications will be accepted during regular business hours at:

(316 Pine Street, Marquette MI 49855)

Applications are taken to compile a waiting list. Due to the demand for Section 8 assistance in the MHC jurisdiction, the MHC may take applications on an open enrollment basis, depending on the length of the waiting list.

When the waiting list is open, completed applications will be accepted from all applicants. The MHC will later verify the information in the applications relevant to the applicant's eligibility, admission, and level of benefit.

Applications may be made in person at the **Pine Ridge apartment- 316 Pine Street, Marquette, MI during normal working hours**. Applications will be mailed to interested families who live outside the Marquette area or for other good cause (determined by the MHC) upon request.

The completed application will be dated and time stamped upon its return to the MHC.

Persons with disabilities who require a reasonable accommodation in completing an application may call the MHC to make special arrangements to complete their application. A Telecommunication Device for the Deaf (TDD) is available for the deaf. The TDD telephone number is **(906-226-7559)**.

The application process will involve two phases. The first phase is the initial application for housing assistance. The pre-application requires the family to provide basic information including name, address, phone number, family composition and family unit size, racial or ethnic designation of the head of household, income category, and information establishing any preferences to which they may be entitled.

Upon receipt of the families application, the MHC will make a preliminary determination of eligibility. The MHC will notify the family in writing of the date and time of placement on the waiting list and the approximate amount of time before housing assistance may be offered. If the MHC determines the family to be ineligible, the notice will state the reasons therefore and offer the family the opportunity of an informal review of this determination.

An applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The MHC will annotate the applicant's file and will update their place on the waiting list. Confirmation of the changes will be confirmed with the family in writing.

The second phase is the final determination of eligibility, which takes place when the family nears the top of the waiting list. The MHC will ensure that verification of all preferences, eligibility, suitability selection factors are current in order to determine the family's final eligibility for admission into the Section 8 Program.

4.3 ORGANIZATION OF THE WAITING LIST

The waiting list will be maintained in accordance with the following guidelines:

- A. All applications will be maintained in order of preference and then in order of date and time of application;
- B. Any contact between the MHC and the applicant will be documented in the applicant file.

Note: The waiting list cannot be maintained by bedroom size under current HUD regulations.

4.4 *FAMILIES NEARING THE TOP OF THE WAITING LIST*

When a family comes to the top of the waiting list, MHC will contact the family.

4.5 *MISSED APPOINTMENTS*

All applicants who fail to keep a scheduled appointment in accordance with the paragraph below will be sent a notice of denial.

The MHC will allow the family to reschedule appointments for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities for good cause. When a good cause exists, the MHC will work closely with the family to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list.

4.6 *REMOVAL OF APPLICANTS FROM THE WAITING LIST*

The MHC will not remove an applicant's name from the waiting list unless:

- A. The applicant requests that the name be removed;
- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program or misses scheduled appointments;
or
- C. The applicant no longer meets either the eligibility or screening criteria for the program.
- D. Mail is returned.

4.7 *GROUND FOR DENIAL*

The MHC will deny assistance to applicants who:

- A. Do not meet any one or more of the eligibility criteria;
- B. Do not supply information or documentation required by the application process;
- C. Fail to respond to a written request for information or a request to declare their continued interest in the program;
- D. Fail to complete any aspect of the application or lease-up process;
- E. Have a history of drug-related criminal activity.
- F. Currently owes rent or other amounts to any government program. Family may be considered for re-admission after account is paid in full, proof of full payment is received and three years has passed since full payment was made.
- G. Have committed fraud, bribery, or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- H. Have a family member who was evicted from public housing or any housing assistance program within the last five years;
- I. Have an adult family household member who has been terminated under the Certificate or Voucher Program during the last three years;
- J. Have a family member who has been convicted of manufacturing or producing methamphetamine or other illegal drug (denied for life);
- K. Have a family member with a lifetime registration under a State sex offender registration program (Denied for life).
- L. If the MHC determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the lease) to permanently reside in their Section 8 unit, the family's assistance will be terminated. Such family will not be eligible to be readmitted to Section 8 for a period of 24 months from the date of termination.
- M. If the family misses the scheduled inspection and fails to reschedule the inspection, the MHC will only schedule one more inspection. If the family misses two inspections, the MHC will consider the family to have violated a Family Obligation and their assistance will be terminated.

4.8 NOTIFICATION OF NEGATIVE ACTIONS

Any applicant whose name is being removed from the waiting list will be notified by the MHC, in writing, that they have ten (10) business days, from the date of the written correspondence, to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified. The MHC's system of removing applicants' names from the waiting list will not violate the rights of persons with disabilities. If an applicant's failure to respond to a request for information or updates was caused by the applicant's disability, the MHC will provide a reasonable accommodation. If the applicant indicates that they did not respond due to a disability, the MHC will verify that there is in fact a disability that caused the inaction and that the accommodation they are requesting is necessary based on the disability. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

4.9 INFORMAL REVIEW

If the MHC determines that an applicant does not meet the criteria for receiving Section 8 assistance, the MHC will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision, and state that the applicant may request an informal review of the decision within 10 business days of the denial. The MHC will describe how to obtain the informal review. The informal review process is described in Section 16.2 of this Plan.

5.0 SELECTING FAMILIES FROM THE WAITING LIST

5.1 WAITING LIST ADMISSIONS AND SPECIAL ADMISSIONS

The MHC may admit an applicant for participation in the program either as a special admission or as a waiting list admission.

If HUD awards funding that is targeted for families with specific characteristics or families living in specific units, the MHC will use the assistance for those families.

5.2 PREFERENCES

The MHC will select families based on the following preferences.

Preferences

An Applicant will be selected from the waiting list in the following order:

The Marquette Housing Commission will give first preference to applicants who are otherwise eligible for assistance and who qualify for local preference(s)

The Point system is:

LOCAL PREFERENCES:

- | | |
|---------|---|
| 1 point | Applicant is a resident of the City of Marquette. |
| 1 point | Applicant is a veteran or the spouse of a veteran or service person. A Veteran is a person who has served in the Armed Forces of the United States of America and was discharged under circumstances other than dishonorable. A service person is a person presently serving in the Armed Forces. |
| 1 point | Applicant is a working family and/or in an educational program. |
| 1 point | Applicant is displaced by a rental rehabilitation program. |

5.3 *SELECTION FROM THE WAITING LIST*

The date and time of application will be utilized to determine the sequence within the above-prescribed preferences.

Notwithstanding the above, if necessary to meet the statutory requirement that 75% of newly admitted families in any fiscal year be families who are extremely low-income, the MHC retains the right to skip higher income families on the waiting to reach extremely low-income families. This measure will only be taken if it appears the goal will not otherwise be met. To ensure this goal is met, the MHC will monitor incomes of newly admitted families and the income of the families on the waiting list.

If there are not enough extremely low-income families on the waiting list we will conduct outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement.

6.0 ASSIGNMENT OF BEDROOM SIZES (SUBSIDY STANDARDS)

The MHC will issue a voucher for a particular bedroom size – the bedroom size is a

factor in determining the family's level of assistance. The following guidelines will determine each family's unit size without overcrowding or over-housing:

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons.

In determining bedroom size, the MHC will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, children who are temporarily away at school or temporarily in foster-care.

Bedroom size will also be determined using the following guidelines:

- A. Children of the same sex **will** share a bedroom if within a 5 year age range or unless there is a medical condition (verified) requiring separate bedrooms.
- B. Adults and children will not be required to share a bedroom.
- C. Foster-adults and children will not be required to share a bedroom with family members.
- D. Live-in aides will get a separate bedroom

The MHC will grant exceptions to normal occupancy standards when a family requests a larger size than the guidelines allow and documents a medical reason why the larger size is necessary.

The family unit size will be determined by the MHC in accordance with the above guidelines and will determine the maximum rent subsidy for the family; however, the family may select a unit that may be larger or smaller than the family unit size. If the family selects a smaller unit, the payment standard for the smaller size will be used to calculate the subsidy. If the family selects a larger size, the payment standard for the family unit size will determine the maximum subsidy. (Ex.: Eligible for a two bedroom,

finds a 3 bedroom. 2 Bedroom payment standard applies but the 3 bedroom utility allowance applies.)

6.1 BRIEFING

When the MHC selects a family from the waiting list, the family will be invited to attend a briefing explaining how the program works. In order to receive a voucher the family is required to attend the briefing. If they cannot attend the originally scheduled briefing, they may attend a later session. If the family fails to attend two briefings without good cause, they will be denied admission.

If an applicant with a disability requires auxiliary aids to gain full benefit from the briefing, the MHC will furnish such aids where doing so would not result in a fundamental alteration of the nature of the program or in an undue financial or administrative burden. In determining the most suitable auxiliary aid, the Housing Authority will give primary consideration to the requests of the applicant. Families unable to attend a briefing due to a disability may request a reasonable accommodation such as having the briefing presented at an alternate location.

The briefing will cover at least the following subjects:

- A. A description of how the program works;
- B. Family and owner responsibilities;
- C. Where the family may rent a unit, including inside and outside the Housing Authority's jurisdiction;
- D. Types of eligible housing;
- E. For families qualified to lease a unit outside the Housing Authority's jurisdiction under portability, an explanation of how portability works;
- F. An explanation that the family share of rent may not exceed 40% of the family's monthly adjusted income.

6.2 PACKET

During the briefing, the MHC will give the family a packet covering at least the following subjects:

- A. The term of the voucher and the MHC policy on extensions and suspensions of the term. The packet will include information on how to request an extension and forms for requesting extensions;

- B. How the MHC determines the housing assistance payment and total tenant payment for the family;
- C. Information on the payment standard, exception payment standard rent areas, and the utility allowance schedule;
- D. How the MHC determines the maximum rent for an assisted unit;
- E. Where the family may lease a unit. For families qualified to lease outside the MHC jurisdiction, the packet includes an explanation of how portability works;
- F. The HUD-required tenancy addendum that provides the language that must be included in any assisted lease, and a sample contract;
- G. The request for approval of the tenancy form and an explanation of how to request MHC approval of a unit;
- H. A publication, A Practical Guide for Tenants and Landlords will be given to applicants;
- I. The MHC's subsidy standards, including when the MHC will consider granting exceptions to the standards;
- J. The HUD brochure on how to select a unit ("A Good Place to Live");
- K. The HUD-required lead-based paint brochure;
- L. Information on Federal, State, and local equal opportunity laws; the brochure "Fair Housing: It's Your Right;" and information about the housing discrimination form;
- M. A list of landlords or other parties known to the MHC who may be willing to lease a unit to the family or help the family find a unit;
- N. The family's obligations under the program;
- O. The grounds upon which the MHC may terminate assistance because of the family's action or inaction;
- P. MHC informal hearing procedures, including when the MHC is required to provide the opportunity for an informal hearing, and information on how to request a hearing; and

6.3 *ISSUANCE OF VOUCHER; REQUEST FOR APPROVAL OF TENANCY*

Beginning August 12, 1999, the MHC will issue only vouchers. Treatment of previously issued certificates and vouchers will be dealt with as outlined in Section 21.0 Transition to the New Housing Choice Voucher Program.

Once all family information has been verified, their eligibility determined, their subsidy calculated, and they have attended the family briefing, the MHC will issue the voucher. At this point the family begins their search for a unit.

When the family finds a unit that the owner is willing to lease under the program, the unit will be inspected by the MHC and if the unit passes the inspection the family and the owner will complete and sign a proposed lease, the HUD required tenancy addendum and the request for approval of the tenancy form. The family will submit the proposed lease and the request form to the MHC during the term of the voucher. The MHC will review the request, the lease, and the HUD required tenancy addendum and make an initial determination of approval of tenancy. The MHC may assist the family in negotiating changes that may be required for the tenancy to be approvable.

During the initial stage of qualifying the unit, the MHC will provide the prospective owner with information regarding the program. Information will include MHC and owner responsibilities for screening and other essential program elements.

Additional screening is the responsibility of the owner.

6.4 *TERM OF THE VOUCHER*

The initial term of the voucher will be 60 days and will be stated on the Housing Choice Voucher.

The MHC may grant one or more extensions of the term, but the initial term plus any extensions will never exceed 120 calendar days from the initial date of issuance. To obtain an extension, the family must make a request not less than five (5) days prior to the expiration date. A statement of the efforts the family has made to find a unit must accompany the request. If the family documents their efforts and additional time can reasonably be expected to result in success, the MHC will grant the length of request sought by the family or 60 days, whichever is less.

If the family includes a person with disabilities and the family requires an extension due to the disability, the MHC will grant an extension allowing the family the full 120 days search time.

Upon submittal of a completed request for approval of tenancy form, the MHC will suspend the term of the voucher. The term will be in suspension until the date the MHC

provides notice that the request has been approved or denied. This policy allows families the full term (60 days, or more with extensions) to find a unit, not penalizing them for the period during which the MHC is taking action on their request. A family may submit a second request for approval of tenancy before the MHC finalizes action on the first request. No more than two requests will be concurrently considered.

Example: Ms. Smith comes in on 2/12 with a request for approval of tenancy for 123 Easy Street. This is 45 days into her 60-day voucher period. The days stop counting as of 2/12 while the MHC is processing the request. On 2/21 Ms. Smith asks MHC for approval of tenancy at 456 Doe Street. The days for the voucher still do not count. MHC decides on 2/22 to deny 123 Easy Street and on 3/3 denies 456 Doe Street. After the second denial, 456 Doe Street, you then start adding days to the 45 days mentioned above.

The MHC will not process two potential units at the same time. The applicant must decide which unit they prefer and, if that one is denied, the MHC will consider the second unit.

6.5 APPROVAL TO LEASE A UNIT

The MHC will approve a lease if all of the following conditions are met:

- A. The unit is eligible;
- B. The unit is inspected by the MHC and passes HQS;
- C. The lease is approvable and includes the language of the tenancy addendum;
- D. The rent to owner is reasonable;
- E. The family's share of rent does not exceed 40% of their monthly adjusted income;
- F. The owner has not been found to be debarred, suspended, or subject to a limited denial of participation by HUD or the MHC; and
- G. The family continues to meet all eligibility and screening criteria.

If tenancy approval is denied, the MHC will advise the owner and the family in writing within ten (10) days and advise them also of any actions they could take that would enable the MHC to approve the tenancy.

The lease term may begin only after all of the following conditions are met:

- A. The unit passes the MHC HQS inspection;

- B. The family's share of rent does not exceed 40% of their monthly adjusted income, according to HUD guidelines.
- C. The landlord and tenant sign the lease to include the HUD required addendum; and
- D. The MHC approves the leasing of the unit.

The MHC will prepare the contract when the unit is approved for tenancy. Generally, the landlord, simultaneously with the signing of the lease and the HUD required tenancy addendum, will execute the contract. Upon receipt of the executed lease and the signed contract by the landlord, the MHC will execute the contract. The MHC will not pay any housing assistance to the owner until the contract is executed.

In no case will the contract be executed later than 60 days after the beginning of the lease term.

Any contract executed after the 60-day period will be void and the MHC will not pay housing assistance to the owner.

6.6 MHC DISAPPROVAL OF OWNER

The MHC will deny participation by an owner at the direction of HUD. The MHC will also deny the owner's participation for any of the following reasons:

- A. The owner has violated any obligations under any Section 8 Housing Assistance Payments Contract;
- B. The owner has committed fraud, bribery, or any other corrupt or criminal act in connection with any assisted housing program;
- C. The owner has not paid State or local real estate taxes, fines, or assessments.
- D. The owner has not paid State or local real estate taxes, fines, or assessments.
- D. Other conflicts of interest under Federal, State, or local law.

6.7 INELIGIBLE/ELIGIBLE HOUSING

The following types of housing cannot be assisted under the Section 8 Tenant-Based Program:

- A. A public housing or Indian housing unit;
- B. A unit receiving project-based assistance under a Section 8 Program;
- C. Nursing homes, board and care homes, or facilities providing continual psychiatric, medical or nursing services;
- D. College or other school dormitories;
- E. Units on the grounds of penal, reformatory, medical, mental, and similar public or private institutions;
- F. A unit occupied by its owner. This restriction does not apply to cooperatives, duplexes or to assistance on behalf of a manufactured home owner leasing a manufactured home space; and
- G. A unit receiving any duplicative Federal, State, or local housing subsidy. This does not prohibit renting a unit that has a reduced rent because of a tax credit.

The MHC will not approve a lease for any of the following special housing types, except as a reasonable accommodation for a family with disabilities:

- A. Congregate housing
- B. Group homes
- C. Shared housing
- D. Cooperative housing
- E. Single room occupancy housing (SROs)

The MHC will approve leases for the following housing types:

- A. Single family dwellings
- B. Apartments
- C. Manufactured housing if owner will install tie downs
- D. Manufactured home space rentals
- E. House boats

6.8 *SECURITY DEPOSIT*

The owner may collect a security deposit from the tenant in an amount not in excess of amounts charged in private market practice, not in excess of amounts charged by the owner to unassisted tenants nor in excess of that allowed under State Law.

When the tenant moves out of the dwelling unit, the owner, subject to State or local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid rent payable by the tenant, damages to the unit or for other amounts the tenant owes under the lease.

The owner must give the tenant and the MHC simultaneously a written list of all items charged against the security deposit and the amount of each item within 30 days of move out. After deducting the amount, if any, used to reimburse the owner, the owner must refund within 30 days of move out the full amount of the unused balance to the tenant.

If the security deposit is not sufficient to cover amounts the tenant owes under the lease, the owner may seek to collect the balance from the tenant.

7.0 MOVES WITH CONTINUED ASSISTANCE

Participating families are allowed to move to another unit after the initial 12 months has expired, if the landlord and the participant have mutually agreed to terminate the lease, or if the MHC has terminated the HAP contract. The MHC will issue the family a new voucher if the family does not owe the MHC or any other assisted housing program money, has not violated a Family Obligation, has not moved or been issued a certificate or voucher within the last 12 months, and if the MHC has sufficient funding for continued assistance. If the move is necessitated for a reason other than family choice, the 12-month requirement will be waived at the MHC's discretion. If the landlord and tenant agree, the MHC will allow one move within the MHC jurisdiction within the first 12 months of the agreement.

7.1 *WHEN A FAMILY MAY MOVE*

For families already participating in the Certificate and Voucher Program, the MHC will allow the family to move to a new unit if:

- A. The assisted lease for the old unit has terminated;
- B. The owner has given the tenant a notice to vacate, has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the owner to evict the tenant; or

- C. The tenant has given proper notice of lease termination (if the tenant has a right to terminate the lease on notice to the owner) as required under the lease.

7.2 PROCEDURES REGARDING FAMILY MOVES

Families considering transferring to a new unit will be briefed about the procedures for moving.

This briefing is intended to provide the following:

- A. A refresher on program requirements and the family's responsibilities. Emphasis will be on giving proper notice and meeting all lease requirements such as leaving the unit in good condition;
- B. Information about finding suitable housing and the advantages of moving to an area that does not have a high concentration of poor families;
- C. Payment standards, exception payment standard rent areas, and the utility allowance schedule;
- D. An explanation that the family share of rent may not exceed 40% of the family's monthly adjusted income;
- E. Portability requirements and opportunities;
- F. The need to have a reexamination conducted within 120 days prior to the move;
- G. An explanation and copies of the forms required to initiate and complete the move; and
- H. All forms and brochures provided to applicants at the initial briefing.

Families are required to give proper written notice of their intent to terminate the lease. In accordance with HUD regulations, no notice requirement may exceed 60 days. During the initial term, families may not end the lease unless they and the owner mutually agree to end the lease. If the family moves from the unit before the initial term of the lease ends without the owner's and the MHC's approval, it will be considered a serious lease violation and subject the family to termination from the program except as allowed above.

The family is required to give the MHC a copy of the notice to terminate the lease at the same time as it gives the notice to the landlord. A family's failure to provide a copy of the lease termination notice to the MHC will be considered a violation of Family Obligations

and may cause the family to be terminated from the program.

A family who gives notice to terminate the lease must notify MHC simultaneously with the landlord.

Failure to follow the above procedures may subject the family to termination from the program.

8.0 PORTABILITY

8.1 *GENERAL POLICIES OF THE MHC.*

The family first submits its application for participation in the program to the MHC may lease a unit anywhere in the jurisdiction of the MHC.

The family will not have an option to lease a unit outside the MHC jurisdiction for the first year under the program.

Families participating in the Voucher Program will not be allowed to move more than once in any 12-month period and under no circumstances will the MHC allow a participant to improperly break a lease.

Families may only move to a jurisdiction where a Section 8 Program is being administered.

If a family has moved out of their assisted unit in violation of the lease, the MHC will not issue a voucher, and will terminate assistance in compliance with Section 17.0, Grounds for Termination of the Lease and Contract. Then the family cannot be assisted by the MHC for at least three (3) years.

8.2 *INCOME ELIGIBILITY*

A. Admission

A family must be income-eligible in the area where the family first leases a unit with assistance in the Voucher Program.

B. If a portable family is already a participant in the Initial Housing Authority's Voucher Program, income eligibility is not re-determined.

8.3 *PORTABILITY: ADMINISTRATION BY RECEIVING HOUSING AUTHORITY*

A. When a family utilizes portability to move to an area outside the Initial Housing

Authority jurisdiction, another Housing Authority (the Receiving Housing Authority) must administer assistance for the family if that Housing Authority has a tenant-based program covering the area where the unit is located.

- B. A Housing Authority with jurisdiction in the area where the family wants to lease a unit must issue the family a voucher. If there is more than one such housing authority, the Initial Housing Authority may choose which housing authority shall become the Receiving Housing Authority.

8.4 PORTABILITY PROCEDURES

- A. When the MHC is the Initial Housing Authority:
 - 1. The MHC will brief the family on the process that must take place to exercise portability.
 - 2. The MHC will advise the family how to contact and request assistance from the Receiving Housing Authority.
 - 3. The MHC will, within ten (10) calendar days, notify the Receiving Housing Authority to expect the family.
 - 4. The MHC will immediately mail to the Receiving Housing Authority the most recent HUD Form 50058 (Family Report) for the family, and related verification information.
- B. When the MHC is the Receiving Housing Authority:
 - 1. When the portable family requests assistance from the MHC, the MHC will within ten (10) calendar days inform the Initial Housing Authority whether it will bill the Initial Housing Authority for assistance on behalf of the portable family, or absorb the family into its own program. When the MHC receives a portable family, the family will be absorbed if funds are available and a voucher will be issued.
 - 2. The MHC will issue a voucher to the family. The term of the MHC's Voucher will not expire before the expiration date of any Initial Housing Authority's voucher. The MHC will determine whether to Extend the voucher term.
 - 3. The MHC will determine the family unit size for the portable family. The family unit size is determined in accordance with the MHC's subsidy standards.

4. The MHC will within ten (10) calendar days notify the Initial Housing Authority if the family has leased an eligible unit under the program, or if the family fails to submit a request for tenancy approval for an eligible unit within the term of the voucher.
5. If the MHC opts to conduct a new reexamination, the MHC will not delay issuing the family a voucher or otherwise delay approval of a unit unless the re-certification is necessary to determine income eligibility.
6. In order to provide tenant-based assistance for portable families, the MHC will perform all Housing Authority program functions, such as reexaminations of family income and composition. At any time, either the Initial Housing Authority or the MHC may make a determination to deny or terminate assistance to the family in accordance with 24 CFR 982.552.

C. Absorption by the MHC.

1. If funding is available under the consolidated ACC for the MHC's Voucher Program when the portable family is received, the MHC will absorb the family into its Voucher Program. After absorption, the family is assisted with funds available under the consolidated ACC for the MHC's Tenant-Based Program.

D. Portability Billing

1. To cover assistance for a portable family, the Receiving Housing Authority may bill the Initial Housing Authority for housing assistance payments and administrative fees. The billing procedure will be as follows:
 - a. As the Initial Housing Authority, the MHC will promptly reimburse the Receiving Housing Authority for the full amount of the housing assistance payments made by the Receiving Housing Authority for the portable family. The amount of the housing assistance payment for a portable family in the Receiving Housing Authority's program is determined in the same manner as for other families in the Receiving Housing Authority's program.
 - b. The Initial Housing Authority will promptly reimburse the Receiving Housing Authority for 80% of the Initial Housing Authority's on-going administrative fee for each unit month that the family receives assistance under the tenant-based programs and is assisted by the Receiving Housing Authority. If both Housing Authorities agree, we may negotiate a different amount of

reimbursement.

E. When a Portable Family Moves

When a portable family moves out of the tenant-based program of a Receiving Housing Authority that has not absorbed the family, the Housing Authority in the new jurisdiction to which the family moves becomes the Receiving Housing Authority, and the first Receiving Housing Authority is no longer required to provide assistance for the family.

9.0 DETERMINATION OF FAMILY INCOME

9.1 *INCOME, EXCLUSIONS FROM INCOME, DEDUCTIONS FROM INCOME*

To determine annual income, the MHC counts the income of all family members, excluding the types and sources of income that are specifically excluded. Once the annual income is determined, the MHC subtracts out all allowable deductions (allowances) as the next step in determining the Total Tenant Payment.

9.2 *INCOME*

A. Annual income means all amounts, monetary or not, that:

1. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member, or
2. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
3. Are not specifically excluded from annual income.

B. Annual income includes, but is not limited to:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services. Raises granted during the year need not be reported until the next regularly scheduled annual recertification.
2. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may

be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

3. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by the MHC.
4. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)
5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)
6. Welfare assistance.
 - a. If the amount of welfare is reduced due to an act of fraud by a family member or because of any family member's failure to comply with requirements to participate in an economic self-sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased. In such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud.

- c. If the amount of welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted.
- 7. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
- 8. All regular pay, special pay, and allowances of a member of the Armed Forces. (Special pay to a member exposed to hostile fire is excluded.)
- 9. Regular contribution or gifts received from organizations or from persons not residing in the dwelling for such things as utility payments or grocery purchases. The full amount of child support or alimony to which the family is entitled unless it is verified that the family is not getting the payment and is taking legal action to secure the back amount.
- 10. After retirement, the amount which the resident is eligible to draw down from his/her pension or retirement plan shall be counted as income, whether or not the resident elects to draw the entire amount.
- 11. The income of all members of the family over the age of 18 who are counted For bedroom size determination, shall be included in the annual income determination unless in school full time.
- 12. Non-cash contributions given in exchange for services rendered may be Counted as income.
- 13. Income from assets shall be considered to be:
 - a. Actual income received, or
 - b. If total assets equal \$5,000 or more, income from these assets shall be the actual income received or a percentage of the total value of the assets, based on the current passbook savings rate (average for the area).
- 14. Per capita payments from Indian tribes/casinos.

3 ASSETS

Assets shall not preclude admission to the Voucher Program. Assets shall be used to determine income earned as follows:

- A. The actual income earned from the ownership of bank accounts, investments, such

as certificates of deposit, annuities, stocks, bonds, etc.

- B. The income from real property such as land contract interest, rental income, etc.
- C. Where the family has Net Family Assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate (average for the area).
- D. In determining Net Family Assets, the MHC shall include the value of any assets disposed of by an applicant or resident for less than fair market value during the two (2) years preceding the date of application for the program or re-examination, as applicable, in excess of the consideration received therefore.
- E. The value to be assigned to the assets shall be the value of the assets after deducting costs that would be incurred in disposing of the asset, such as real estate or stock brokers commissions or penalty for early withdrawal of a time deposit.
- F. Retirement or pension plans will be counted as an asset before resident has retired, Only if the resident may draw down a portion before (s)he actually retires.
- G. A burial fund which is treated as an annuity shall be considered as an asset unless It is in an irrevocable burial trust/fund.
- H. The portion of a trust fund which is accessible to the family shall be considered an Asset.
- I. The average six (6) month balance in a checking account shall be considered an asset.

9.4 **EXCLUSIONS FROM INCOME**

Annual income does not include the following:

- A. Income from employment of children (including foster children) under the age of 18 years;
- B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- C. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses;

- D. Amounts received by the family that is specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- E. Income of a live-in aide;
- F. The full amount of student financial assistance paid directly to the student or to the educational institution;
- G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- H. The amounts received from the following programs:
 - 1. Amounts received under training programs funded by HUD (such as the Green Thumb Program);
 - 2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - 3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;
 - 4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Authority or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiative coordination. No resident may receive more than one such stipend during the same period of time;
 - 5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;

6. Temporary, nonrecurring, or sporadic income (including gifts);
7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
9. Adoption assistance payments in excess of \$480 per adopted child;
10. Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
11. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
12. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
13. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits.

These exclusions include:

- a. The amount received for food stamps
- b. Payments to volunteers under the Domestic Volunteer Services Act of 1973
- c. Payments received under the Alaska Native Claims Settlement Act
- d. Income from submarginal land of the U.S. that is held in trust for certain Indian tribes
- e. Payments made under HHS's Low-Income Energy Assistance Program
- f. Payments received under the Job Training Partnership Act

- g. Income from the disposition of funds of the Grand River Band of Ottawa Indians
- h. The first \$2000 per capita received from judgment funds awarded for certain Indian claims
- i. Amount of scholarships awarded under Title IV including Work-Study
- j. Payments received under the Older Americans Act of 1965
- k. Payments from Agent Orange Settlement
- l. Payments received under the Maine Indian Claims Act
- m. The value of child care under the Child Care and Development Block Grant Act of 1990
- n. Earned income tax credit refund payments
- o. Payments for living expenses under the AmeriCorps Program
- p. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937.
- q. Also excluded from income are payments made for individuals under the Community Services Employment Program administered by the Department of Labor, Title V of the Older Americans Act of 1965 (42 USC 3056(f))
- r. Payments derived from Title VI of the Older American Comprehensive Services Amendments of 1973 (PL-93-29) such as Foster Grandparents and Older Americans Community Services programs are not included in family income. Also excluded are ACTION Volunteers, administered under the Domestic Volunteers Act of 1973, Title IX (PL 93-113).

14. For family members who enrolled in certain training programs prior to 10/1/99, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family Support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 2437t), or any comparable Federal, State or local law during the exclusion period. For purposes of

this exclusion the following definitions apply:

- a. Comparable Federal, State or local law means a program providing employment training and supportive services that:
 - i. Is authorized by a Federal, State or local law;
 - ii. Is funded by the Federal, State or local government;
 - iii. Is operated or administered by a public agency; and
 - iv. Has as its objective to assist participants in acquiring employment skills.
 - b. Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end.
 - c. Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.
15. The incremental earning due to employment during the 12 month period following date of hire shall be excluded. This exclusion will not apply for any family who concurrently is eligible for exclusion # 14. Additionally, this exclusion is only available to the following families:
- a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years.
 - b. Families whose income increases during the participation of a family member in any family self-sufficiency program.
 - c. Families who are or were, within 6 months, assisted under a State TANF Program.

9.5 DEDUCTIONS FROM ANNUAL INCOME

The following deductions will be made from annual income:

- A. \$480 for each dependent
- B. \$400 for any elderly family or disabled family
- C. For any family that is not an elderly or disabled family but has a member (other

than the head or spouse) who is a person with a disability, disability assistance expenses in excess of 3% of annual income. This allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the person with disabilities.

- D. For any elderly or disabled family:
1. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income;
 2. That has disability expenses greater than or equal to 3% of annual income, an allowance for disability assistance expenses computed in accordance with paragraph C, plus an allowance for medical expenses that equal the family's medical expenses;
 3. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the total of these expenses less 3% of annual income.
- D. Child care expenses. (for children under age 13), only if unreimbursed, in an amount reasonable for the area, shall be allowed where necessary to allow a family member to be gainfully employed or to further his/her education. The amount deducted shall not exceed the amount of gross income received for such employment. Such expense shall be allowed only if no adult member of the family is available to provide such care.
- E. An elderly family shall be allowed an amount for Medical Expenses equal to the Amount by which the medial expenses exceed 3% of annual income if there is no Disabled assistance expenses allowance. Medical expense shall include only actual expense, including medical insurance premiums, that are not covered by insurance.
- F. Employed public housing families will be given a deduction equal to the cost of Personally paid health insurance.
- G. If an elderly family has disabled assistance expenses less than 3% of annual income, an allowance for combined handicapped assistance expenses that is equal to the amount by which the sum of those expenses exceeds 3% of annual income. Up to \$550 per year for spousal support payments that one has a legal obligation to make and is making such payments.
- H. In no case will allowances be given which exceed the family's annual income.

- I. Up to \$480 per year for making child support payments for children outside the household.
- J. For all households with earned income, a 10% deduction from gross earnings only will be granted. Such 10% deduction shall be made before other eligible deductions are granted and such 10% deduction will be applied only to earned income, either part or full time. In case of self-employment, the 10% shall be applied to the gross earned income.
- K. For “excessive travel expenses” defined as an amount exceeding \$25/family per Week for employment or education-related travel (not reimbursed). Family would qualify for a \$25/week deduction. This deduction cannot exceed the income earned which entitled the family to this deduction.

10.0 VERIFICATION

The MHC will verify information related to waiting list preferences, eligibility, admission and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income, assets, and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations, full time student status of family members 18 years of age and older, Social Security Numbers, birth certificates (or other suitable proof), citizenship/eligible noncitizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

10.1 ACCEPTABLE METHODS OF VERIFICATION

Age, relationship, U.S. citizenship, and Social Security Numbers will generally be verified with documentation provided by the family. For citizenship, the family's certification will be accepted. (Or for citizenship documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

Other information will be verified by third party verification. This type of verification includes written documentation (with forms sent directly to and received directly from a source, not passed through the hands of the family). This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from the MHC or automatically by another government agency, i.e. the Social Security Administration. Verification forms and reports received will be contained in the applicant/tenant file. Oral third party documentation will include the same information as if the documentation had been written, i.e. name date of contact, amount received, etc.

When third party verification cannot be obtained, the MHC will accept documentation received from the applicant/participant. Hand-carried documentation will be accepted if the MHC has been unable to obtain third party verification in a four week period of time. Photocopies of the documents provided by the family will be maintained in the file.

When neither third party verification nor hand-carried verification can be obtained, the MHC will accept a notarized statement signed by the head, spouse or co-head. Such documents will be maintained in the file.

10.2 TYPES OF VERIFICATION

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, the MHC will send a request form to the source along with a release form signed by the applicant/participant via first class mail.

Verification Requirements for Individual Items		
Item to Be Verified	3rd party verification	Hand-carried verification
General Eligibility Items		
Social Security Number	Letter from Social Security, electronic reports	Social Security card
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school students, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A

Child care costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls

Value of and Income from Assets

Savings, checking accounts	Letter from institution	Passbook, most current statements
CDs, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return
Personal property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth
Cash value of life insurance policies	Letter from insurance company	Current statement
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth

Income

Earned income	Letter from employer	Multiple pay stubs
Self-employed	N/A	Tax return from prior year, books of accounts

Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree
Periodic payments (i.e., social security, welfare, pensions, workers' comp, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training program participation	Letter from program provider indicating <ul style="list-style-type: none"> - whether enrolled - whether training is HUD-funded - whether State or local program - whether it is employment training - whether payments are for out-of-pocket expenses incurred in order to participate in a program 	N/A

10.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

The citizenship/ eligible noncitizen status of each family member regardless of age must be determined.

Prior to being admitted, or at the first reexamination, all citizens and nationals will be required to sign a declaration under penalty of perjury. (They will be required to show proof of their status by such means as Social Security card, birth certificate, military ID or military DD 214 Form.)

Prior to being admitted or at the first reexamination, all eligible noncitizens who are 62 years of age or older will be required to sign a declaration under penalty of perjury. They will also be required to show proof of age.

Prior to being admitted or at the first reexamination, all eligible noncitizens must sign a declaration of their status and a verification consent form and provide their original INS

documentation. The MHC will make a copy of the individual's INS documentation and place the copy in the file. The MHC also will verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the MHC will mail information to the INS so a manual check can be made of INS records.

Family members who do not claim to be citizens, nationals or eligible noncitizens, or whose status cannot be confirmed, must be listed on a statement of non-eligible members and the list must be signed by the head of the household.

Noncitizen students on student visas, though in the country legally, are not eligible to be admitted to the Section 8 Program.

Any family member who does not choose to declare their status must be listed on the statement of non-eligible members.

If no family member is determined to be eligible under this Section, the family's admission will be denied.

The family's assistance will not be denied, delayed, reduced or terminated because of a delay in the process of determining eligible status under this Section, except to the extent that the delay is caused by the family.

If the MHC determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the lease) to permanently reside in their Section 8 unit, the family's assistance will be terminated. Such family will not be eligible to be readmitted to Section 8 for a period of 24 months from the date of termination.

10.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

Prior to admission, each family member who has a Social Security Number must provide verification of his or her Social Security Number. In the case of a new birth, a copy of the Social Security card must be provided within ten (10) days of receipt of the card.

The best verification of the Social Security Number is the original Social Security card. If the card is not available, the MHC will accept letters from Social Security that establish and state the number. Documentation from other governmental agencies will also be accepted that establish and state the number. Driver's license, military ID, passports, or other official documents that establish and state the number are also acceptable.

If an individual states that they do not have a Social Security Number they will be required to sign a statement to this effect. The MHC will not require any individual who does not have a Social Security Number to obtain a Social Security Number.

If a member of an applicant family indicates they have a Social Security Number, but cannot readily verify it, the family cannot be assisted until verification is provided.

10.5 TIMING OF VERIFICATION

Verification must be dated within 90 days of certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the MHC will verify and update only those elements reported to have changed.

10.6 FREQUENCY OF OBTAINING VERIFICATION

For each family member, citizenship/eligible noncitizen status will be verified only once. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of their status will be obtained at the next regular reexamination. Prior to a new member joining the family, their status will be verified.

For each family member, verification of Social Security Number or birth certificates (or other acceptable proof) will be obtained only once. This verification will be accomplished prior to admission. When a family member who did not have a Social Security Number at admission receives a Social Security Number, that number will be verified at the next regular reexamination.

11.0 RENT AND HOUSING ASSISTANCE PAYMENT

1 RENT REASONABLENESS

The MHC will not approve an initial rent or a rent increase in any of the tenant-based programs without determining that the rent amount is reasonable. Reasonableness is determined prior to the initial lease and at the following times:

- A. Before any increase in rent to owner is approved;
- B. If 60 days before the contract anniversary date there is a 5% decrease in the published FMR as compared to the previous FMR; and
- C. If the MHC or HUD directs that reasonableness be re-determined.

11.2 COMPARABILITY

In making a rent reasonableness determination, the MHC will compare the rent for the unit to the rent of comparable units in the same or comparable neighborhoods. The MHC will consider the location, quality, size, number of bedrooms, age, amenities, housing services, maintenance and utilities of the unit and the comparable units.

The MHC will maintain current survey information on rental units in the jurisdiction.

The MHC will establish minimum base rent amounts for each unit type and bedroom size. To the base the MHC will be able to add or subtract the dollar value for each characteristic and amenity of a proposed unit.

Owners are invited to submit information to the survey at any time. Owners may review the determination made on their unit and may submit additional information or make improvements to the unit that will enable the MHC to establish a higher value.

The owner must certify in writing the rents charged for other units. By accepting the housing assistance payment each month the owner is certifying that the rent to owner is not more than the rent charged by the owner for comparable unassisted units in the premises.

11.3 *MAXIMUM SUBSIDY*

The Fair Market Rent (FMR) published by HUD or the exception payment standard rent (requested by the MHC and approved by HUD) determines the maximum subsidy for a family.

For the Voucher Program, the maximum payment standard will be 110% of the FMR without prior approval from HUD, or the exception payment standard approved by HUD.

For a voucher tenancy in an insured or noninsured 236 project, a 515 project of the Rural Development Administration, or a Section 221(d)(3) below market interest rate project the payment standard may not exceed the basic rent charged including the cost of tenant-paid utilities.

For manufactured home space rental, the maximum subsidy under any form of assistance is the Fair Market Rent for the space as outlined in 24 CFR 982.888.

11.3.1 Setting the Payment Standard

HUD requires that the payment standard be set by the MHC at between 90 and 110% of the FMR. The MHC will review its determination of the payment standard annually after publication of the FMRs. The MHC will consider vacancy rates and rents in the market area, size and quality of units leased under the program, rents for units leased under the program, success rates of voucher holders in finding units, and the percentage of annual income families are paying for rent under the Voucher Program. If it is determined that

success rates will suffer or that families are having to rent low quality units or pay over 40% of income for rent, the payment standard may be raised to the level judged necessary to alleviate these hardships.

Payment standards will not be raised solely to allow the renting of luxury quality units.

If success levels are projected to be extremely high and rents are projected to be at or below 30% of income, the MHC will reduce the payment standard. Payment standards for each bedroom size are evaluated separately so that the payment standard for one bedroom size may increase or decrease while another remains unchanged. The MHC may consider adjusting payment standards at times other than the annual review when circumstances warrant.

Before increasing any payment standard, the MHC will conduct a financial feasibility test to ensure that in using the higher standard, adequate funds will continue to be available to assist families in the program.

11.3.2 Selecting the Correct Payment Standard for a Family

- A. For the voucher tenancy, the payment standard for a family is the lower of:
 - 1. The payment standard for the family unit size; or
 - 2. The payment standard for the unit size rented by the family.
- B. If the unit rented by a family is located in an exception rent area, the MHC will use the appropriate payment standard for the exception rent area.
- C. During the HAP contract term for a unit, the amount of the payment standard for a family is the higher of:
 - 1. The initial payment standard (at the beginning of the lease term) minus any amount by which the initial rent to owner exceeds the current rent to owner; or
 - 2. The payment standard as determined at the most recent regular reexamination of family income and composition effective after the beginning of the HAP contract term.
- D. At the next annual reexamination following a change in family size or composition during the HAP contract term and for any reexamination thereafter, paragraph C above does not apply.
- E. If there is a change in family unit size resulting from a change in family size or

composition, the new family unit size will be considered when determining the payment standard at the next annual reexamination or at the time the change takes place (Ex.: child is born; children temporarily in foster home are returned to family).

11.3.3 Area Exception Rents

In order to help families find housing outside areas of high poverty or when voucher holders are having trouble finding housing for lease under the program, the MHC may request that HUD approve an exception payment standard rent for certain areas within its jurisdiction. The areas may be of any size, though generally not smaller than a census tract. The MHC may request one such exception payment standard area or many. Exception payment standard rent authority may be requested for all or some unit sizes, or for all or some unit types.

When an exception payment standard rent has been approved and the FMR increases, the exception rent remains unchanged until such time as the Housing Authority requests and HUD approves a higher exception payment standard rent. If the FMR decreases, the exception payment standard rent authority automatically expires.

11.4 ASSISTANCE AND RENT FORMULAS

A. Total Tenant Payment

The total tenant payment is equal to the highest of:

1. 10% of monthly income
2. 30% of adjusted monthly income
3. Minimum rent
4. The welfare rent

Plus any rent above the payment standard.

If a family's income is reduced for noncompliance with TANF requirements, rent will not be reduced.

B. Minimum Rent.

The MHC has set the minimum rent as \$ 25.00. However, if the family requests a hardship exemption, the MHC will suspend the minimum rent for the family beginning the month following the family's hardship request. The suspension will

continue until the MHC can determine whether hardship exists and whether the hardship is of a temporary or long-term nature. During suspension, the family will not be required to pay a minimum rent and the Housing Assistance Payment will be increased accordingly.

1. A hardship exists in the following circumstances:
 - a. When the family has lost eligibility for or is awaiting an eligibility determination for a Federal, State or local assistance program;
 - b. When the family would be evicted as a result of the imposition of the minimum rent requirement;
 - c. When the income of the family has decreased because of changed circumstances, including loss of employment;
 - d. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
 - e. When a death has occurred in the immediate family.
2. No hardship. If the MHC determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent to the MHC for the time of suspension.
3. Temporary hardship. If the MHC determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The MHC will offer a reasonable repayment agreement for any minimum rent back payment paid by the MHC on the family's behalf during the period of suspension.
4. Long-term hardship. If the MHC determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.
5. Appeals. The family may use the informal hearing procedure to appeal the MHC's determination regarding the hardship. No escrow deposit will be required in order to access the informal hearing procedures.

C. Manufactured Home Space Rental: Section 8 Vouchers

1. The payment standard for a participant renting a manufactured home space is the published FMR for rental of a manufactured home space.
2. The space rent is the sum of the following as determined by the MHC:
 - a. Rent to the owner for the manufactured home space;
 - b. Owner maintenance and management charges for the space; and
 - c. Utility allowance for tenant paid utilities.
3. The participant pays the rent to owner less the HAP.
4. HAP equals the lesser of:
 - a. The payment standard minus the total tenant payment; or
 - b. The rent paid for rental of the real property on which the manufactured home owned by the family is located.

F. Rent for Families under the Noncitizen Rule

A mixed family will receive full continuation of assistance if all of the following conditions are met:

1. The family was receiving assistance on June 19, 1995;
2. The family was granted continuation of assistance before November 29, 1996;
3. The family's head or spouse has eligible immigration status; and
4. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse.

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the orderly transition of some or all of its members to locate other affordable housing. Under this provision the family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three years. If granted after that date, the maximum period of time for assistance under

the provision is 18 months. The MHC will grant each family a period of 6 months to find suitable affordable housing. If the family cannot find suitable affordable housing, the MHC will provide additional search periods up to the maximum time allowable.

Suitable housing means housing that is not substandard and is of appropriate size for the family. Affordable housing means that it can be rented for an amount not exceeding the amount the family pays for rent, plus utilities, plus 25%.

The family's assistance is prorated in the following manner:

1. Find the prorated housing assistance payment (HAP) by dividing the HAP by the total number of family members, and then multiplying the result by the number of eligible family members.
2. Obtain the prorated family share by subtracting the prorated HAP from the gross rent (contract rent plus utility allowance).
3. The prorated tenant rent equals the prorated family share minus the full utility allowance.

11.5 UTILITY ALLOWANCE

The MHC maintains a utility allowance schedule for all tenant-paid utilities (except telephone), for cost of tenant-supplied refrigerators and ranges, and for other tenant-paid housing services (e.g., trash collection (disposal of waste and refuse)).

The utility allowance schedule is determined based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality. In developing the schedule, the MHC uses normal patterns of consumption for the community as a whole and current utility rates.

The MHC reviews the utility allowance schedule annually and revises any allowance for a utility category if there has been a change of 10% or more in the utility rate since the last time the utility allowance schedule was revised. The MHC maintains information supporting the annual review of utility allowances and any revisions made in its utility allowance schedule.

The MHC uses the appropriate utility allowance for the size of dwelling unit actually leased by the family (rather than the family unit size as determined under the MHC subsidy standards).

At each reexamination, the MHC applies the utility allowance from the most current utility allowance schedule.

The MHC will approve a request for a utility allowance that is higher than the applicable amount on the utility allowance schedule if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability.

The utility allowance will be subtracted from the family's share to determine the amount of the Tenant Rent. The Tenant Rent is the amount the family owes each month to the owner. The amount of the utility allowance is then still available to the family to pay the cost of their utilities. Any utility cost above the allowance is the responsibility of the tenant. Any savings resulting from utility costs below the amount of the allowance belong to the tenant.

11.7 DISTRIBUTION OF HOUSING ASSISTANCE PAYMENT

The MHC pays the owner the lesser of the housing assistance payment or the rent to owner. If payments are not made when due, the owner may charge the MHC a late payment, agreed to in the Contract and in accordance with generally accepted practices in the MHC jurisdiction.

11.8 CHANGE OF OWNERSHIP

The MHC requires a written request by the owner who executed the HAP contract in order to make changes regarding who is to receive the MHC's rent payment or the address as to where the rent payment should be sent.

In addition, the MHC requires a written request from the new owner to process a change of ownership. The following documents must accompany the written request:

- A. Deed of Trust showing the transfer of title; or letter from former owner concerning sale of property.
- B. Tax Identification Number or Social Security Number.

The MHC may withhold the rent payment until the taxpayer identification number is received.

12.0 INSPECTION POLICIES, HOUSING QUALITY STANDARDS, AND DAMAGE CLAIMS

The MHC will inspect all units to ensure that they meet Housing Quality Standards (HQS). No unit will be initially placed on the Section 8 Existing Program unless the HQS is met. Units will be inspected at least annually, and at other times as needed, to

determine if the units meet HQS.

The MHC must be allowed to inspect the dwelling unit at reasonable times with reasonable notice. The family and owner will be notified of the inspection appointment by phone or first class mail. If the family can not be at home for the scheduled inspection appointment, the family must call and reschedule the inspection or make arrangements to enable the MHC to enter the unit and complete the inspection.

If the family misses the scheduled inspection and fails to reschedule the inspection, the MHC will only schedule one more inspection. If the family misses two inspections, the MHC will consider the family to have violated a Family Obligation and their assistance will be terminated.

12.1 TYPES OF INSPECTIONS

There are seven types of inspections the MHC will perform:

- A. Initial Inspection - An inspection that must take place to insure that the unit passes HQS before assistance can begin.
- B. Annual Inspection - An inspection to determine that the unit continues to meet HQS.
- C. Complaint Inspection - An inspection caused by the Authority receiving a complaint on the unit by anyone.
- D. Special Inspection - An inspection caused by a third party, i.e. HUD, needing to view the unit.
- E. Emergency - An inspection that takes place in the event of a perceived emergency. These will take precedence over all other inspections.
- F. Move Out Inspection (if applicable) - An inspection required for units in service before October 2, 1995, and optional after that date. These inspections document the condition of the unit at the time of the move-out.
- E. Quality Control Inspection - Supervisory inspections on at least 5% of the total number of units that were under lease during the MHC's previous fiscal year (by Executive Director).

12.2 OWNER AND FAMILY RESPONSIBILITY

- A. Owner Responsibility for HQS

1. The owner must maintain the unit in accordance with HQS.
2. If the owner fails to maintain the dwelling unit in accordance with HQS, the MHC will take prompt and vigorous action to enforce the owner obligations. The MHC's remedies for such breach of the HQS include termination, suspension or reduction of housing assistance payments and termination of the HAP contract.
3. The MHC will not make any housing assistance payments for a dwelling unit that fails to meet the HQS, unless the owner corrects the defect within the period specified by the MHC and the MHC verifies the correction. If a defect is life threatening, the owner must correct the defect within no more than 24 hours. For other defects the owner must correct the defect within no more than 30 calendar days (or any MHC approved extension).
4. The owner is not responsible for a breach of the HQS that is not caused by the owner, and for which the family is responsible. Furthermore, the MHC may terminate assistance to a family because of the HQS breach caused by the family.

B. Family Responsibility for HQS

1. The family is responsible for a breach of the HQS that is caused by any of the following:
 - a. The family fails to pay for any utilities that the owner is not required to pay for, but which are to be paid by the tenant;
 - b. The family fails to provide and maintain any appliances that the owner is not required to provide, but which are to be provided by the tenant; or
 - c. Any member of the household or a guest damages the dwelling unit or premises (damage beyond ordinary wear and tear).
2. If an HQS breach caused by the family is life threatening, the family must correct the defect within no more than 24 hours. For other family-caused defects, the family must correct the defect within no more than 30 calendar days (or any MHC approved extension).
3. If the family has caused a breach of the HQS, the MHC will take prompt and vigorous action to enforce the family obligations. The MHC may terminate assistance for the family in accordance with 24 CFR 982.552.

12.3 HOUSING QUALITY STANDARDS (HQS) 24 CFR 982.401

This Section states performance and acceptability criteria for these key aspects of the following housing quality standards:

A. Sanitary Facilities

1. Performance Requirements

The dwelling unit must include sanitary facilities located in the unit. The sanitary facilities must be in proper operating condition and adequate for personal cleanliness and the disposal of human waste. The sanitary facilities must be usable in privacy.

2. Acceptability Criteria

- a. The bathroom must be located in a separate private room and have a flush toilet in proper operating condition.
- b. The dwelling unit must have a fixed basin in proper operating condition, with a sink trap and hot and cold running water.
- c. The dwelling unit must have a shower or a tub in proper operating condition with hot and cold running water.
- d. The facilities must utilize an approvable public or private disposal system (including a locally approvable septic system).

B. Food Preparation and Refuse Disposal

1. Performance Requirements

- a. The dwelling unit must have suitable space and equipment to store, prepare, and serve foods in a sanitary manner.
- b. There must be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage where necessary (e.g., garbage cans).

2. Acceptability Criteria

- a. The dwelling unit must have an oven, a stove or range, and a refrigerator of appropriate size for the family. All of the equipment must be in proper operating condition. Either the owner or the

family may supply the equipment. A microwave oven may be substituted for a tenant-supplied oven and stove or range. A microwave oven may be substituted for an owner-supplied oven and stove or range if the tenant agrees and microwave ovens are furnished instead of an oven and stove or range to both subsidized and unsubsidized tenants in the building or premises.

- b. The dwelling unit must have a kitchen sink in proper operating condition, with a sink trap and hot and cold running water. The sink must drain into an approvable public or private system.
- c. The dwelling unit must have space for the storage, preparation, and serving of food.
- d. There must be facilities and services for the sanitary disposal of food waste and refuse, including temporary storage facilities where necessary (e.g., garbage cans).

C. Space and security

1. Performance Requirement

The dwelling unit must provide adequate space and security for the family.

2. Acceptability Criteria

- a. At a minimum, the dwelling unit must have a living room, a kitchen area, and a bathroom.
- b. The dwelling unit must have at least one bedroom or living/sleeping room for each two persons. Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room.
- c. Dwelling unit windows that are accessible from the outside, such as basement, first floor, and fire escape windows, must be lockable (such as window units with sash pins or sash locks, and combination windows with latches). Windows that are nailed shut are acceptable only if these windows are not needed for ventilation or as an alternate exit in case of fire.
- d. The exterior doors of the dwelling unit must be lockable. Exterior doors are doors by which someone can enter or exit the dwelling unit.

D. Thermal Environment

1. Performance Requirement

The dwelling unit must have and be capable of maintaining a thermal environment healthy for the human body.

2. Acceptability Criteria

- a. There must be a safe system for heating the dwelling unit (and a safe cooling system, where present). The system must be in proper operating condition. The system must be able to provide adequate heat (and cooling, if applicable), either directly or indirectly, to each room, in order to assure a healthy living environment appropriate to the climate.
- b. The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Electric heaters are acceptable.

E. Illumination and Electricity

1. Performance Requirement

Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants. The dwelling unit must have sufficient electrical sources so occupants can use essential electrical appliances. The electrical fixtures and wiring must ensure safety from fire.

2. Acceptability Criteria

- a. There must be at least one window in the living room and in each sleeping room.
- b. The kitchen area and the bathroom must have a permanent ceiling or wall light fixture in proper operating condition. The kitchen area must also have at least one electrical outlet in proper operating condition.
- c. The living room and each bedroom must have at least two electrical outlets in proper operating condition. Permanent overhead or wall-mounted light fixtures may count as one of the required electrical outlets.

F. Structure and Materials

1. Performance Requirement

The dwelling unit must be structurally sound. The structure must not present any threat to the health and safety of the occupants and must protect the occupants from the environment.

2. Acceptability Criteria

- a. Ceilings, walls, and floors must not have any serious defects such as severe bulging or leaning, large holes, loose surface materials, severe buckling, missing parts, or other serious damage.
- b. The roof must be structurally sound and weather tight.
- c. The exterior wall structure and surface must not have any serious defects such as serious leaning, buckling, sagging, large holes, or defects that may result in air infiltration or vermin infestation.
- d. The condition and equipment of interior and exterior stairs, halls, porches, walkways, etc., must not present a danger of tripping and falling. For example, broken or missing steps or loose boards are unacceptable.
- e. Elevators must be working and safe.

G. Interior Air Quality

1. Performance Requirement

The dwelling unit must be free of pollutants in the air at levels that threaten the health of the occupants.

2. Acceptability Criteria

- a. The dwelling unit must be free from dangerous levels of air pollution from carbon monoxide, sewer gas, fuel gas, dust, and other harmful pollutants.
- b. There must be adequate air circulation in the dwelling unit.
- c. Bathroom areas must have one window that can be opened or other

adequate exhaust ventilation.

- d. Any room used for sleeping must have at least one window. If the window is designed to be opened, the window must work.

H. Water Supply

1. Performance Requirements

The water supply must be free from contamination.

2. Acceptability Criteria

The dwelling unit must be served by an approvable public or private water supply that is sanitary and free from contamination.

I. Lead-based Paint

1. Definitions

- a. Chewable surface: Protruding painted surfaces up to five feet from the floor or ground that are readily accessible to children under six years of age; for example, protruding corners, window sills and frames, doors and frames, and other protruding woodwork.
- b. Component: An element of a residential structure identified by type and location, such as a bedroom wall, an exterior window sill, a baseboard in a living room, a kitchen floor, an interior window sill in a bathroom, a porch floor, stair treads in a common stairwell, or an exterior wall.
- c. Defective paint surface: A surface on which the paint is cracking, scaling, chipping, peeling, or loose.
- d. Elevated blood level (EBL): Excessive absorption of lead. Excessive absorption is a confirmed concentration of lead in whole blood of 20 ug/dl (micrograms of lead per deciliter) for a single test or of 15-19 ug/dl in two consecutive tests 3-4 months apart.
- e. HEPA: A high efficiency particle accumulator as used in lead abatement vacuum cleaners.
- f. Lead-based paint: A paint surface, whether or not defective, identified as having a lead content greater than or equal to 1

milligram per centimeter squared (mg/cm²), or 0.5 % by weight or 5000 parts per million (PPM).

2. Performance Requirements

- a. The purpose of this paragraph of this Section is to implement Section 302 of the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4822, by establishing procedures to eliminate as far as practicable the hazards of lead-based paint poisoning for units assisted under this part. This paragraph is issued under 24 CFR 35.24(b)(4) and supersedes, for all housing to which it applies, the requirements of subpart C of 24 CFR part 35.
- b. The requirements of this paragraph of this Section do not apply to 0-bedroom units, units that are certified by a qualified inspector to be free of lead-based paint, or units designated exclusively for the elderly. The requirements of subpart A of 24 CFR part 35 apply to all units constructed prior to 1978 covered by a HAP contract under part 982.
- c. If a dwelling unit constructed before 1978 is occupied by a family that includes a child under the age of six years, the initial and each periodic inspection (as required under this part), must include a visual inspection for defective paint surfaces. If defective paint surfaces are found, such surfaces must be treated in accordance with paragraph k of this Section.
- d. The MHC may exempt from such treatment defective paint surfaces that are found in a report by a qualified lead-based paint inspector not to be lead-based paint, as defined in paragraph 1(f) of this Section. For purposes of this Section, a qualified lead-based paint inspector is a State or local health or housing agency, a lead-based paint inspector certified or regulated by a State or local health or housing agency, or an organization recognized by HUD.
- e. Treatment of defective paint surfaces required under this Section must be completed within 30 calendar days of MHC notification to the owner. When weather conditions prevent treatment of the defective paint conditions on exterior surfaces within the 30-day period, treatment as required by paragraph k of this Section may be delayed for a reasonable time.
- f. The requirements in this paragraph apply to:

- i. All painted interior surfaces within the unit (including ceilings but excluding furniture);
 - ii. The entrance and hallway providing access to a unit in a multi-unit building; and
 - iii. Exterior surfaces up to five feet from the floor or ground that are readily accessible to children under six years of age (including walls, stairs, decks, porches, railings, windows and doors, but excluding outbuildings such as garages and sheds). However, paint chips on the ground must be cleaned up.
- g. In addition to the requirements of paragraph c of this Section, for a dwelling unit constructed before 1978 that is occupied by a family with a child under the age of six years with an identified EBL condition, the initial and each periodic inspection (as required under this part) must include a test for lead-based paint on chewable surfaces. Testing is not required if previous testing of chewable surfaces is negative for lead-based paint or if the chewable surfaces have already been treated.
- h. Testing must be conducted by a State or local health or housing agency, an inspector certified or regulated by a State or local health or housing agency, or an organization recognized by HUD. Lead content must be tested by using an X-ray fluorescence analyzer (XRF) or by laboratory analysis of paint samples. Where lead-based paint on chewable surfaces is identified, treatment of the paint surface in accordance with paragraph k of this Section is required, and treatment shall be completed within the time limits in paragraph c of this Section.
- i. The requirements in paragraph g of this Section apply to all protruding painted surfaces up to five feet from the floor or ground that are readily accessible to children under six years of age:
 - i. Within the unit;
 - ii. The entrance and hallway providing access to a unit in a multi-unit building; and
 - iii. Exterior surfaces (including walls, stairs, decks, porches, railings, windows and doors, but excluding outbuildings such as garages and sheds).

- j. In lieu of the procedures set forth in paragraph g of this Section, the MHC may, at its discretion, waive the testing requirement and require the owner to treat all interior and exterior chewable surfaces in accordance with the methods set out in paragraph k of this Section.
- k. Treatment of defective paint surfaces and chewable surfaces must consist of covering or removal of the paint in accordance with the following requirements:
 - i. A defective paint surface shall be treated if the total area of defective paint on a component is:
 - (1) More than 10 square feet on an exterior wall;
 - (2) More than 2 square feet on an interior or exterior component with a large surface area, excluding exterior walls and including, but not limited to, ceilings, floors, doors, and interior walls;
 - (3) More than 10% of the total surface area on an interior or exterior component with a small surface area, including, but not limited to, windowsills, baseboards and trim.
 - ii. Acceptable methods of treatment are the following: removal by wet scraping, wet sanding, chemical stripping on or off site, replacing painted components, scraping with infra-red or coil type heat gun with temperatures below 1100 degrees, HEPA vacuum sanding, HEPA vacuum needle gun, contained hydroblasting or high pressure wash with HEPA vacuum, and abrasive sandblasting with HEPA vacuum. Surfaces must be covered with durable materials with joint edges sealed and caulked as needed to prevent the escape of lead contaminated dust. Clean up chips that have fallen to ground or other areas within 5' of the ground or reachable by a 6 year old.
 - iii. Prohibited methods of removal are the following: open flame burning or torching, machine sanding or grinding without a HEPA exhaust, uncontained hydroblasting or high pressure wash, and dry scraping except around electrical outlets or except when treating defective paint

spots no more than two square feet in any one interior room or space (hallway, pantry, etc.) or totaling no more than twenty square feet on exterior surfaces.

- iv. During exterior treatment soil and playground equipment must be protected from contamination.
- v. All treatment procedures must be concluded with a thorough cleaning of all surfaces in the room or area of treatment to remove fine dust particles. Cleanup must be accomplished by wet washing surfaces with a lead solubilizing detergent such as trisodium phosphate or an equivalent solution.
- vi. Waste and debris must be disposed of in accordance with all applicable Federal, State, and local laws.
- l. The owner must take appropriate action to protect residents and their belongings from hazards associated with treatment procedures. Residents must not enter spaces undergoing treatment until cleanup is completed. Personal belongings that are in work areas must be relocated or otherwise protected from contamination.
- m. Prior to execution of the HAP contract, the owner must inform the MHC and the family of any knowledge of the presence of lead-based paint on the surfaces of the residential unit.
- n. If the unit has lead-based paint, the MHC must require the owner to treat the lead-based paint. If the owner does not complete the corrective actions required by this Section, the family must be issued a certificate or voucher to move.
- o. The MHC must keep a copy of each inspection report for at least three years. If a dwelling unit requires testing, or if the dwelling unit requires treatment of chewable surfaces based on the testing, the MHC must keep the test results indefinitely and, if applicable, the owner certification and treatment. The records must indicate which chewable surfaces in the dwelling units have been tested and which chewable surfaces were tested or tested and treated in accordance with the standards prescribed in this Section, such chewable surfaces do not have to be tested or treated at any subsequent time.
- p. The dwelling unit must be able to be used and maintained without

unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire (such as fire stairs or egress through windows).

J. Access

1. Performance Requirements

The dwelling unit must be able to be used and maintained without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire (such as fire stairs or egress through windows).

K. Site and Neighborhood

1. Performance Requirements

The site and neighborhood must be reasonably free from disturbing noises and reverberations and other dangers to the health, safety, and general welfare of the occupants.

2. Acceptability Criteria

The site and neighborhood may not be subject to serious adverse environmental conditions, natural or manmade, such as dangerous walks or steps; instability; flooding, poor drainage, septic tank back-ups or sewage hazards; mudslides; abnormal air pollution, smoke or dust; excessive noise, vibration or vehicular traffic; excessive accumulations of trash; vermin or rodent infestation; or fire hazards.

L. Sanitary Condition

1. Performance Requirements

The dwelling unit and its equipment must be in sanitary condition.

2. Acceptability Criteria

The dwelling unit and its equipment must be free of vermin and rodent infestation.

M. Smoke Detectors

1. Performance Requirements

- a. Except as provided in paragraph b below of this Section, each dwelling unit must have at least one battery-operated or hard-wired smoke detector, in proper operating condition, on each level of the dwelling unit, including basements but excepting crawl spaces and unfinished attics. Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 (or its successor standards). If the dwelling unit is occupied by any hearing-impaired person, smoke detectors must have an alarm system, designed for hearing-impaired persons as specified in NFPA 74 (or successor standards).
- b. For units assisted prior to April 24, 1993, owners who installed battery-operated or hard-wired smoke detectors prior to April 24, 1993, in compliance with HUD's smoke detector requirements, including the regulations published on July 30, 1992, (57 FR 33846), will not be required subsequently to comply with any additional requirements mandated by NFPA 74 (i.e., the owner would not be required to install a smoke detector in a basement not used for living purposes, nor would the owner be required to change the location of the smoke detectors that have already been installed on the other floors of the unit).

12.4 EXCEPTIONS TO THE HQS ACCEPTABILITY CRITERIA

The MHC will utilize the acceptability criteria as outlined above with applicable State and local codes. Additionally, the MHC has received HUD approval to require the following additional criteria:

- A. In each room, there will be at least one exterior window that can be opened and that contains a screen.
- B. Owners will be required to scrape peeling paint and repaint all surfaces cited for peeling paint with 2 coats of non-lead paint. An extension may be granted as a severe weather related item as defined below.
- C. Adequate heat shall be considered to be 68 degrees.
- D. In units where the tenant must pay for utilities, each unit must have separate metering device(s) for measuring utility consumption.
- E. A $\frac{3}{4}$ " overflow pipe must be present on the hot water heater safety valves and installed down to within 6 inches of the floor.

12.5 TIME FRAMES AND CORRECTIONS OF HQS FAIL ITEMS

A. Correcting Initial HQS Fail Items

The MHC will schedule a timely inspection of the unit on the date the owner indicates that the unit will be ready for inspection, or as soon as possible thereafter (within 5 working days) upon receipt of a Request for Tenancy Approval. The owner and participant will be notified in writing of the results of the inspection. If the unit fails HQS again, the owner and the participant will be advised to notify the MHC to reschedule a re-inspection when the repairs have been properly completed.

On an initial inspection, the owner will be given up to 30 days to correct the items noted as failed, depending on the extent of the repairs that are required to be made. No unit will be placed in the program until the unit meets the HQS requirements.

B. HQS Fail Items for Units under Contract

The owner or participant will be given time to correct the failed items cited on the inspection report for a unit already under contract. If the failed items endanger the family's health or safety (using the emergency item list below), the owner or participant will be given 24 hours to correct the violations. For less serious failures, the owner or participant will be given up to 30 days to correct the failed item(s).

If the owner fails to correct the HQS failed items after proper notification has been given, the MHC will abate payment and terminate the contract in accordance with Sections 12.7 and 17.0(B)(3).

If the participant fails to correct the HQS failed items that are family-caused after proper notification has been given, the MHC will terminate assistance for the family in accordance with Sections 12.2(B) and 17.0(B)(3).

C. Time Frames for Corrections

1. Emergency repair items must be abated within 24 hours.
2. Repair of refrigerators, range and oven, or a major plumbing fixture supplied by the owner must be abated within 72 hours.
3. Non-emergency items must be completed within 10 days of the initial inspection.

4. For major repairs, the owner will have up to 30 days to complete.

D. Extensions

At the sole discretion of the MHC, extensions of up to 30 days may be granted to permit an owner to complete repairs if the owner has made a good faith effort to initiate repairs. If repairs are not completed within 60 days after the initial inspection date, the MHC will abate the rent and cancel the HAP contract for owner noncompliance. Appropriate extensions will be granted if a severe weather condition exists for such items as exterior painting and outside concrete work for porches, steps, and sidewalks.

12.6 EMERGENCY FAIL ITEMS

The following items are to be considered examples of emergency items that need to be abated within 24 hours:

- A. No hot or cold water
- B. No electricity
- C. Inability to maintain adequate heat
- D. Major plumbing leak
- E. Natural gas leak
- F. Broken lock(s) on first floor doors or windows
- G. Broken windows that unduly allow weather elements into the unit
- H. Electrical outlet smoking or sparking
- I. Exposed electrical wires which could result in shock or fire
- J. Unusable toilet when only one toilet is present in the unit
- K. Security risks such as broken doors or windows that would allow intrusion
- L. Other conditions which pose an immediate threat to health or safety

12.7 ABATEMENT

When a unit fails to meet HQS and the owner has been given an opportunity to correct the deficiencies, but has failed to do so within the required timeframe, the rent for the dwelling unit will be abated.

The initial abatement period will not exceed 7 days. If the corrections of deficiencies are not made within the 7-day timeframe, the abatement will continue until the HAP contract is terminated. When the deficiencies are corrected, the MHC will end the abatement the day the unit passes inspection. Rent will resume the following day and be paid the first day of the next month.

For tenant caused HQS deficiencies, the owner will not be held accountable and the rent will not be abated. The tenant is held to the same standard and timeframes for correction of deficiencies as owners. If repairs are not completed by the deadline, the MHC will send a notice of termination to both the tenant and the owner. The tenant will be given the opportunity to request an informal hearing.

13.0 RECERTIFICATION

13.1 ANNUAL REEXAMINATION

At least annually the MHC will conduct a reexamination of family income and circumstances. The results of the reexamination determine (1) the rent the family will pay, and (2) whether the family subsidy is correct based on the family unit size.

The MHC will send a notification letter to the family letting them know that it is time for their annual reexamination and scheduling an appointment. The letter includes forms for the family to complete in preparation for the review. The letter includes instructions for the review. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.

During the review, the family will provide all information regarding income, assets, expenses, and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other consent forms that later will be mailed to the sources that will verify the family circumstances. If family intentionally misrepresents their income, assets, or family composition and it would have affected the amount of the family's contribution toward rent resulting in an overpayment by the MHC, such family shall retroactively to the date they should have paid the higher sum, reimburse the MHC for overpayments.

Upon receipt of verification, the MHC will determine the family's annual income and will calculate their family share.

13.1.1 Effective Date of Rent Changes for Annual Reexaminations

The new family share will generally be effective upon the anniversary date with 30 days notice of any rent increase to the family.

If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a 30 day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.

If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

13.1.2 Missed Appointments

If the family fails to respond to the letter , a second letter will be mailed. The second letter will advise of a new date for the information to be submitted allowing for the same considerations for rescheduling and accommodation as above. The letter will also advise that failure by the family to supply information for the date in the second letter will result in the MHC taking action to terminate the family's assistance.

13.2 *INTERIM REEXAMINATIONS*

During an interim reexamination only the information affected by the changes being reported will be reviewed and verified.

Families will be required to report any change in income, assets, expenses or family composition within ten (10) days of the change.

Families are required to report the following changes to the MHC between regular reexaminations. These changes will trigger an interim reexamination.

- A. A member has been added to the family through birth or adoption or court-awarded custody.
- B. A household member is leaving or has left the family unit.
- C. Family break-up

In circumstances of a family break-up, the MHC will allow both familial parents to hold a voucher. However, only one can receive deductions for the minor child(ren). Bedroom distribution for each will be determined by who ever has the child(ren) in the household 180 days or more per year (which could be both). The person claiming the child(ren) on their income tax shall be entitled to the per-child deduction.

In order to add an adult family household member other than through birth or adoption (including a live-in aide) the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security Number if they have one, birth certificate (or other suitable proof) and must verify their citizenship/eligible immigrant status (Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family). The new family member will go through the screening process similar to the process for applicants. The MHC will determine the eligibility of the individual before allowing them to be added to the lease. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. If they are found to be eligible and do pass the screening criteria, the MHC will grant approval to add their name to the lease. At the same time, the family's annual income will be recalculated taking into account the income and circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph below 13.2.2.

Families are not required to, but may at any time up to the last day of the month or throughout the month, request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such request, the MHC will take timely action to process the interim reexamination and recalculate the family share.

13.2.1 Special Reexaminations

If a family's income is too unstable to project for 12 months, including families that temporarily have no income or have a temporary decrease in income, the MHC may schedule special reexaminations every 60 days until the income stabilizes and an annual income can be determined. In the case of zero income, family will be re-examined every sixty (60) days.

13.2.2 Effective Date of Rent Changes Due to Interim or Special Reexaminations

Unless there is a delay in reexamination processing caused by the family, any rent increase will be effective the first of the second month after the month in which the family receives notice of the new rent amount. If the family causes a delay, then the rent increase will be effective on the date it would have been effective had the process not been delayed (even if this means a retroactive increase).

If the new rent is a reduction and any delay is beyond the control of the family, the reduction will be effective the first of the month after the interim reexamination should have been completed.

If the new rent is a reduction and the family caused the delay or did not report the change

in a timely manner, the change will be effective the first of the month after the rent amount is determined.

14.0 TERMINATION OF ASSISTANCE TO THE FAMILY BY THE MHC

The Housing Authority may at any time terminate program assistance for a participant, because of any of the actions or inaction by the household:

- A. If the family violates any family obligations under the program.
- B. If a family member fails to sign and submit consent forms.
- C. If a family fails to establish citizenship or eligible immigrant status and is not eligible for or does not elect continuation of assistance, pro-ration of assistance, or temporary deferral of assistance. If the MHC determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizens listed on the lease) to permanently reside in their Section 8 unit, the family's assistance will be terminated. Such family will not be eligible to be readmitted to Section 8 for a period of 24 months from the date of termination.
- D. If any member of the family has ever been evicted from public housing.
- E. If the Housing Authority has ever terminated assistance under the Certificate or Voucher Program for any member of the family.
- F. If any member of the family commits drug-related criminal activity.
- G. If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any assisted housing program.
- H. If the family currently owes rent or other amounts to the MHC or to another Housing Authority in connection with Section 8 or public housing assistance under the 1937 Act.
- I. If the family has not reimbursed any Housing Authority for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
- J. If family breaches an agreement with the MHC to pay amounts owed to the MHC.
- D. Family whose total tenant payment is sufficient to pay the full gross rent of the

unit.

- L. If the family has engaged in or threatened abusive or violent behavior toward MHC personnel or others.
- M. If any household member is subject to a lifetime registration requirement under a State sex offender registration program.
- L. If a household member's illegal use, manufacture or production of methamphetamine or other illegal drug.

15.0 COMPLAINTS, INFORMAL REVIEWS FOR APPLICANTS, INFORMAL HEARINGS FOR PARTICIPANTS

15.1 COMPLAINTS

The MHC will investigate and respond to complaints by participant families, owners, and the general public. The MHC requires that complaints other than HQS violations be put in writing. Anonymous complaints are investigated whenever possible.

15.2 INFORMAL REVIEW FOR THE APPLICANT

A. Informal Review for the Applicant

The MHC will give an applicant for participation in the Section 8 Voucher Program prompt notice of a decision denying assistance to the applicant. The notice will contain a brief statement of the reasons for the MHC decision. The notice will state that the applicant may request an informal review within 10 business days of the denial and will describe how to obtain the informal review.

B. When an Informal Review is not Required

The MHC will not provide the applicant an opportunity for an informal review for any of the following reasons:

1. A determination of the family unit size under the MHC subsidy standards.
2. A MHC determination not to approve an extension or suspension of a certificate or voucher term.
3. A MHC determination not to grant approval to lease a unit under the program or to approve a proposed lease.
4. A MHC determination that a unit selected by the applicant is not in

compliance with HQS.

5. A MHC determination that the unit is not in accordance with HQS because of family size or composition.
6. General policy issues or class grievances.
7. Discretionary administrative determinations by the MHC.

C. Informal Review Process

The MHC will give an applicant an opportunity for an informal review of the MHC decision denying assistance to the applicant. The procedure is as follows:

1. The review will be conducted by any person or persons designated by the MHC other than the person who made or approved the decision under review or a subordinate of this person.
2. The applicant will be given an opportunity to present written or oral objections to the MHC decision.
3. The MHC will notify the applicant of the MHC decision after the informal review within 14 calendar days. The notification will include a brief statement of the reasons for the final decision.

D. Considering Circumstances

In deciding whether to terminate assistance because of action or inaction by members of the family, the MHC may consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

The MHC may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The MHC may permit the other members of a participant family to continue receiving assistance.

If the MHC seeks to terminate assistance because of illegal drugs, the incident causing such termination must have occurred within the immediate past 12 months.

E. Informal Review Procedures for Denial of Assistance on the Basis of Ineligible

Immigration Status

The applicant family may request that the MHC provide for an informal review after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. This request must be made by the applicant family within 30 days of receipt of the Notice of Denial or Termination of Assistance, or within 30 days of receipt of the INS appeal decision.

For applicant families, the Informal Review Process above will be utilized with the exception that the applicant family will have up to 30 days of receipt of the Notice of Denial or Termination of Assistance, or of the INS appeal decision to request the review.

15.3 INFORMAL HEARINGS FOR PARTICIPANTS

A. When a Hearing is Required

1. The MHC will give a participant family an opportunity for an informal hearing to consider whether the following MHC decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD regulations, and MHC policies:
 - a. A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment.
 - b. A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the MHC utility allowance schedule.
 - c. A determination of the family unit size under the MHC subsidy standards.
 - d. A determination that a Voucher Program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the MHC subsidy standards, or the MHC determination to deny the family's request for an exception from the standards.
 - e. A determination to terminate assistance for a participant family because of the family's action or failure to act.
 - f. A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under the MHC policy and HUD rules.

2. In cases described in paragraphs 16.3(A)(1)(d), (e), and (f), of this Section, the MHC will give the opportunity for an informal hearing before the MHC terminates housing assistance payments for the family under an outstanding HAP contract.

B. When a Hearing is not Required

The MHC will not provide a participant family an opportunity for an informal hearing for any of the following reasons:

1. Discretionary administrative determinations by the MHC.
2. General policy issues or class grievances.
3. Establishment of the MHC schedule of utility allowances for families in the program.
4. A MHC determination not to approve an extension or suspension of a voucher term.
5. A MHC determination not to approve a unit or lease.
5. A MHC determination that an assisted unit is not in compliance with HQS.
7. A MHC determination that the unit is not in accordance with HQS because of the family size.
8. A determination by the MHC to exercise or not exercise any right or remedy against the owner under a HAP contract.

B. Hearing Procedures

The Marquette Housing Commission will follow its established Grievance Procedure as it relates to Informal Hearings.

16.0 TERMINATION OF THE LEASE AND CONTRACT

The term of the lease and the term of the HAP contract are the same. They begin on the same date and they end on the same date. The lease may be terminated by the owner, by the tenant, or by the mutual agreement of both. The owner may only terminate the contract by terminating the lease. The HAP contract may be terminated by the MHC. Under some circumstances the contract automatically terminates.

A. Termination of the lease

1. By the family

The family may terminate the lease without cause upon proper notice to the owner and to the MHC after the first year of the lease. The length of the notice that is required is stated in the lease (generally 30 days). Family must give MHC a copy of the notice simultaneously.

2. By the owner.

a. The owner may terminate the lease during its term on the following grounds:

- i. Serious or repeated violations of the terms or conditions of the lease;
- ii. Violation of Federal, State, or local law that impose obligations on the tenant in connection with the occupancy or use of the unit and its premises;
- iii. Criminal activity by the household, a guest, or another person under the control of the household that threatens the health, safety, or right to peaceful enjoyment of the premises by other persons residing in the immediate vicinity of the premises;
- iv. Any drug-related criminal activity on or near the premises;
- v. Other good cause. Other good cause may include, but is not limited to:
 - (1) Failure by the family to accept the offer of a new lease;
 - (2) Family history of disturbances of neighbors or destruction of property, or living or housekeeping habits resulting in damage to the property or unit;
 - (3) The owner's desire to utilize the unit for personal or family use or for a purpose other than use as a residential rental unit;
 - (4) A business or economic reason such as sale of the

property, renovation of the unit, desire to rent at a higher rental amount.

vi. Have a family member with a lifetime registration under a State sex offender registration program (Denied for life).

b. During the first year the owner may not terminate tenancy for other good cause unless the reason is because of something the household did or failed to do.

c. The owner may only evict the tenant by instituting court action. The owner must give the MHC a copy of any owner eviction notice to the tenant at the same time that the owner gives the notice to the tenant.

d. The owner may terminate the contract at the end of the initial lease term or any extension of the lease term without cause by providing notice to the family that the lease term will not be renewed.

3. Termination of the Lease by mutual agreement

The family and the owner may at any time mutually agree to terminate the lease.

B. Termination of the Contract

1. Automatic termination of the Contract

a. If the MHC terminates assistance to the family, the contract terminates automatically.

b. If the family moves out of the unit, the contract terminates automatically.

c. The contract terminates automatically 180 calendar days after the last housing assistance payment to the owner.

2. Termination of the contract by the owner

The owner may only terminate tenancy in accordance with lease and State and local law.

3. Termination of the HAP contract by the MHC

The Housing Authority may terminate the HAP contract because:

- a. The Housing Authority has terminated assistance to the family.
- b. The unit does not meet HQS space standards because of an increase in family size or change in family composition.
- c. The unit is larger than appropriate for the family size or composition under the regular Voucher Program.
- d. When the family breaks up and the MHC determines that the family members who move from the unit will continue to receive the assistance.
- e. The MHC determines that there is insufficient funding in their contract with HUD to support continued assistance for families in the program.
- f. The owner has breached the contract in any of the following ways:
 - i. If the owner has violated any obligation under the HAP contract for the dwelling unit, including the owner's obligation to maintain the unit in accordance with the HQS.
 - ii. If the owner has violated any obligation under any other housing assistance payments contract under Section 8 of the 1937 Housing Act.
 - iii. If the owner has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal, State or local housing program.
 - iv. For projects with mortgages insured by HUD or loans made by HUD, if the owner has failed to comply with the regulations for the applicable mortgage insurance or loan program, with the mortgage or mortgage note, or with the regulatory agreement;
 - v. If the owner fails to bring eviction action for nonpayment of rent. However, MHC can continue with the rent subsidy and reduce HAP payment by the amount of tenant rent to owner.

4. Final HAP payment to owner

The HAP payment stops when the lease terminates. The owner may keep the payment for the month in which the family moves out. If the owner has begun eviction proceedings and the family continues to occupy the unit, the MHC will continue to make payments until the owner obtains a judgment or the family moves out.

17.0 CHARGES AGAINST THE SECTION 8 ADMINISTRATIVE FEE RESERVE

Occasionally, it is necessary for the MHC to spend money of its Section 8 Administrative Fee Reserve to meet unseen or extraordinary expenditures or for its other housing related purposes consistent with State law.

The MHC Board of Commissioners authorizes the Executive Director to expend without prior Board approval up to \$2,500 or 5% of the reserve for authorized expenditures.

Any item(s) exceeding \$2,500 or 5% of reserve will require prior Board of Commissioner approval before any charge is made against the Section 8 Administrative Fee Reserve.

18.0 INTELLECTUAL PROPERTY RIGHTS

No program receipts may be used to indemnify contractors or subcontractors of the MHC against costs associated with any judgment of infringement of intellectual property rights.

GLOSSARY

1937 Housing Act: The United States Housing Act of 1937 [42 U.S.C. 1437 et seq.)

Absorption: In portability, the point at which a receiving housing authority stops billing the initial housing authority for assistance on behalf of a portable family. [24 CFR 982.4]

Adjusted Annual Income: The amount of household income, after deductions for specified allowances, on which tenant rent is based.

Administrative fee: Fee paid by HUD to the housing authority for the administration of the program.

Administrative Plan: The plan that describes housing authority policies for the administration of the tenant-based programs.

Admission: The point when the family becomes a participant in the program. In a tenant-based program, the date used for this purpose is the effective date of the first HAP Contract for a family (first day of initial lease term).

Adult: A household member who is 18 years or older or who is the head of the household, or spouse, or co-head.

Allowances: Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly families, disability expenses, and child care expenses for children under 13 years of age. Other allowance can be given at the discretion of the housing authority.

Amortization Payment: In a manufactured home space rental: The monthly debt service payment by the family to amortize the purchase price of the manufactured home.

Annual Contributions Contract (ACC): The written contract between HUD and a housing authority under which HUD agrees to provide funding for a program under the 1937 Act, and the housing authority agrees to comply with HUD requirements for the program.

Annual Income: All amounts, monetary or not, that:

- a. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member, or
- b. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

- c. Are not specifically excluded from Annual Income.
- d. Annual Income also includes amounts derived (during the 12-month period) from assets to which any member of the family has access.

Applicant (applicant family): A family that has applied for admission to a program but is not yet a participant in the program.

Assets: see net family assets.

Asset Income: Income received from assets held by household members. If assets total more than \$5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income.

Assisted lease (lease): A written agreement between an owner and a family for the leasing of a dwelling unit to the family. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the housing authority.

Certificate: A document issued by a housing authority to a family selected for admission to the Certificate Program. The certificate describes the program and the procedures for housing authority approval of a unit selected by the family. The certificate also states the obligations of the family under the program.

Certification: The examination of a household's income, expenses, and family composition to determine the household's eligibility for program participation and to calculate the household's rent for the following 12 months.

Child: For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age.

Child care expenses: Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of childcare necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

Citizen: A citizen or national of the United States.

Common space: In shared housing: Space available for use by the assisted family and other occupants of the unit.

Congregate housing: Housing for elderly or persons with disabilities that meets the HQS for congregate housing.

Consent form: Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participant to determine eligibility or level of benefits.

Contiguous MSA: In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial housing authority is located.

Continuously assisted: An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the Voucher Program.

Cooperative: Housing owned by a non-profit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing.

Domicile: The legal residence of the household head or spouse as determined in accordance with State and local law.

Decent, safe, and sanitary: Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

Department: The Department of Housing and Urban Development.

Dependent: A member of the family (except foster children and foster adults) other than the family head or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student.

Disability assistance expenses: Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

Disabled family: A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.

Disabled person: See "person with disabilities."

Displaced family: A family in which each member, or whose sole member, is a person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

Displaced person: A person displaced by governmental action (such as urban renewal), or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

Drug related criminal activity: Illegal use or personal use of a controlled substance, and the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use, of a controlled substance.

Drug trafficking: The illegal manufacture, sale, or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance.

Elderly family: A family whose head, spouse, or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.

Elderly person: A person who is at least 62 years of age.

Evidence of citizenship or eligible status: The documents that must be submitted to evidence citizenship or eligible immigration status.

Exception rent: An amount that exceeds the published fair market rent.

Extremely low-income families: Those families whose incomes do not exceed 30% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

Fair Housing Act: Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.).

Fair market rent (FMR): The rent, including the cost of utilities (except telephone), as established by HUD for units of varying sizes (by number of bedrooms), that must be paid in the housing market area to rent privately owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. FMRs are published periodically in the Federal Register.

Family includes but is not limited to:

- a. A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);
- b. An elderly family;
- c. A near-elderly family;
- d. A disabled family;
- e. A displaced family;
- f. The remaining member of a tenant family; and
- g. A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

Family members: include all household members except live-in aides, foster children and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the HUD-50058.

Family self-sufficiency program (FSS program): The program established by a housing authority to promote self-sufficiency of assisted families, including the coordination of supportive services (42 U.S.C. 1437u).

Family share: The portion of rent and utilities paid by the family.

Family unit size: The appropriate number of bedrooms for a family as determined by the housing authority under the housing authority's subsidy standards.

50058 Form: The HUD form that Housing Authority's are required to complete for each assisted household in public housing to record information used in the certification and re-certification process, and, at the option of the housing authority, for interim reexaminations.

FMR/exception rent limit: The Section 8 existing housing fair market rent published by HUD headquarters, or any exception rent. For a tenancy in the Voucher Program, the housing authority may adopt a payment standard up to the FMR/exception rent limit.

Full-time student: A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or Certificate Program, as well as an institution offering a college degree.

Gross rent: The sum of the rent to the owner plus any utilities.

Group Home: A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide).

Head of household: The adult member of the family who is the head of the household for

purposes of determining income eligibility and rent.

Household members: include all individuals who reside or will reside in the unit and who are listed on the lease, including live-in aides, foster children and foster adults.

Housing Assistance Payment (HAP): The monthly assistance by a housing authority, which includes (1) a payment to the owner for rent to the owner under the family's lease, and (2) an additional payment to the family if the total assistance payment exceeds the rent to owner.

Housing quality standards (HQS): The HUD minimum quality standards for housing assisted under the Section 8 program.

Housing voucher: A document issued by a housing authority to a family selected for admission to the Voucher Program. This document describes the program and the procedures for housing authority approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

Housing voucher holder: A family that has an unexpired housing voucher.

Imputed income: For households with net family assets of more than \$5,000, the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used in determining annual income.

Income category: Designates a family's income range. There are three categories: low income, very low income and extremely low-income.

Incremental income: The increased portion of income between the total amount of welfare and earnings of a family member prior to enrollment in a training program and welfare and earnings of the family member after enrollment in the training program. All other amounts, increases and decreases, are treated in the usual manner in determining annual income.

Initial Housing Authority: In portability, both: (1) a housing authority that originally selected a family that later decides to move out of the jurisdiction of the selecting housing authority; and (2) a housing authority that absorbed a family that later decides to move out of the jurisdiction of the absorbing housing authority.

Initial payment standard: The payment standard at the beginning of the HAP contract term.

Initial rent to owner: The rent to owner at the beginning of the initial lease term.

Interim (examination): A reexamination of a household's income, expenses, and household status conducted between the annual recertifications when a change in a household's circumstances warrant such a reexamination.

Jurisdiction: The area in which the housing authority has authority under State and local law to administer the program.

Lease: A written agreement between an owner and tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP Contract between the owner and the housing authority.

Live-in aide: A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- a. Is determined to be essential to the care and well-being of the persons;
- b. Is not obligated for the support of the persons; and
- c. Would not be living in the unit except to provide the necessary supportive services.

Low-income families: Those families whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families. *[1937Act]*

Manufactured home: A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS.

Manufacture home space: In manufactured home space rental: A space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space.

Medical expenses: Medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance.

Mixed family: A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Moderate rehabilitation: Rehabilitation involving a minimum expenditure of \$1000 for a unit, including its prorated share of work to be accomplished on common areas or systems, to:

- a. upgrade to decent, safe and sanitary condition to comply with the Housing Quality Standards or other standards approved by HUD, from a condition below these standards (improvements being of a modest nature and other than routine maintenance; or
- b. repair or replace major building systems or components in danger of failure.

Monthly adjusted income: One twelfth of adjusted income.

Monthly income: One twelfth of annual income.

Mutual housing is included in the definition of "cooperative".

National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

Near-elderly family: A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides.

Net family assets:

- a. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- b. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
- c. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

Noncitizen: A person who is neither a citizen nor national of the United States.

Notice Of Funding Availability (NOFA): For budget authority that HUD distributes by competitive process, the Federal Register document that invites applications for funding. This document explains how to apply for assistance, and the criteria for awarding the funding.

Occupancy standards: The standards that the housing authority establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

Owner: Any person or entity, including a cooperative, having the legal right to lease or sublease existing housing.

Participant (participant family): A family that has been admitted to the housing authority's

program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the housing authority for the family (first day of initial lease).

Payment standard: In a voucher tenancy, the maximum monthly assistance payment for a family (before deducting the total tenant payment by family contribution). For a voucher tenancy, the housing authority sets a payment standard in the range from 90% to 110% of the current FMR.

Person with disabilities: A person who:

- a. Has a disability as defined in Section 223 of the Social Security Act,

"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months, or

In the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial, gainful activity requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time."

- b. Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment that:

- (1) is expected to be of long-continued and indefinite duration,

- (2) substantially impedes his or her ability to live independently, and

- (3) is of such a nature that such ability could be improved by more suitable housing conditions, or

- c. Has a developmental disability as defined in Section 102(7) of the of the Developmental Disabilities Assistance and Bill of Rights Act.

"Severe chronic disability that:

- (1) is attributable to a mental or physical impairment or combination of mental and physical impairments;

- (2) is manifested before the person attains age 22;

- (3) is likely to continue indefinitely;

(4) results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care, (2) receptive and responsive language, (3) learning, (4) mobility, (e) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and

(5) reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated."

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome.

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

Portability: Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial housing authority.

Premises: The building or complex in which the dwelling unit is located, including common areas and grounds.

Private space: In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

Preservation: This program encourages owners of eligible multifamily housing projects to preserve low-income housing affordability and availability while reducing the long-term cost of providing rental assistance. The program offers several approaches to restructuring the debt of properties developed with project-based Section 8 assistance whose HAP contracts are about to expire.

Proration of assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance.

Public Housing Agency: A State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing.

Reasonable rent: A rent to owner that is not more than charged: (a) for comparable units in the private unassisted market; and (b) for a comparable unassisted unit in the premises.

Receiving Housing Authority: In portability, a housing authority that receives a family selected for participation in the tenant-based program of another housing authority. The receiving housing

authority issues a certificate or voucher, and provides program assistance to the family.

Re-certification: A reexamination of a household's income, expenses, and family composition to determine the household's rent for the following 12 months.

Remaining member of a tenant family: A member of the family listed on the lease who continues to live in an assisted household after all other family members have left.

Rent to owner: The monthly rent payable to the owner under the lease. Rent to owner covers payment for any housing services, maintenance, and utilities that the owner is required to provide and pay for.

Set-up charges: In a manufactured home space rental, charges payable by the family for assembly, skirting and anchoring the manufactured home.

Shared housing: A unit occupied by two or more families. The unit consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family.

Shelter Allowance: That portion of a welfare benefit (e.g., TANF) that the welfare agency designates to be used for rent and utilities.

Single person: Someone living alone or intending to live alone who does not qualify as an elderly person, a person with disabilities, a displaced person, or the remaining member of a tenant family.

Single room occupancy housing (SRO): A unit for occupancy by a single eligible individual capable of independent living that contains no sanitary facilities or food preparation facilities, or contains either, but not both, types of facilities.

Special admission: Admission of an applicant that is not on the housing authority waiting list, or without considering the applicant's waiting list position.

Special housing types: Special housing types include: SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

State Wage Information Collection Agency (SWICA): The State agency receiving quarterly wage reports from employers in the State, or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information.

Statement of family responsibility: An agreement in the form prescribed by HUD, between the housing authority and a Family to be assisted under the Moderate Rehabilitation Program, stating

the obligations and responsibilities of the family.

Subsidy standards: Standards established by a housing authority to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

Suspension: Stopping the clock on the term of a family's certificate or voucher, for such period as determined by the housing authority, from the time when the family submits a request for housing authority approval to lease a unit, until the time when the housing authority approves or denies the request. Also referred to as tolling.

Tenant: The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit.

Tenant rent: The amount payable monthly by the family as rent to the owner minus any utility allowance.

Third-party (verification): Oral or written confirmation of a household's income, expenses, or household composition provided by a source outside the household, such as an employer, doctor, school official, etc.

Tolling: see suspension.

Total tenant payment (TTP):

(1) Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act. which is the higher of :

30% of the family's monthly adjusted income;

10% of the family's monthly income;

Minimum rent; or

if the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated.

If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under Section 3(a)(1) shall be the amount resulting from one application of the percentage.

Utility allowance: If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the

unit, an amount equal to the estimate made or approved by a housing authority or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

Utility hook-up charge: In a manufactured home space rental, costs payable by a family for connecting the manufactured home to utilities such as water, gas, electrical and sewer lines.

Utility reimbursement: The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the total tenant payment for the family occupying the unit.

Verification:

- a. The process of obtaining statements from individuals who can attest to the accuracy of the amounts of income, expenses, or household member status (e.g., employers, public assistance agency staff, doctors).
- b. The three types of verification are:
 - (1) Third-party verification, either written or oral, obtained from employers, public assistance agencies, schools, etc.)
 - (2) Documentation, such as a copy of a birth certificate or bank statement
 - (3) Family certification or declaration (only used when third-party or documentation verification is not available)

Very low-income families: Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families. *[1937 Act]*

Violent criminal activity: Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

Voucher (rental voucher): A document issued by a housing authority to a family selected for admission to the Housing Choice Voucher Program. This document describes the program and the procedures for housing authority approval of a unit selected by the family and states the obligations of the family under the program.

Voucher holder: A family holding a voucher with unexpired search time.

Waiting list admission: An admission from the housing authority waiting list. *[24 CFR 982.4]*

Welfare assistance. Welfare or other payments to families or individuals, based on need, that are

made under programs funded by Federal, State or local governments. *[24 CFR 5.603(d)]*

Welfare rent: In "as-paid" welfare programs, the amount of the welfare benefit designated for shelter and utilities.

ACRONYMS

ACC	Annual Contributions Contract
CACC	Consolidated Annual Contributions Contract
CFR	Code of Federal Regulations
FMR	Fair Market Rent
FSS	Family Self Sufficiency (program)
HA	Housing Authority
HAP	Housing Assistance Payment
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
MHC	Marquette Housing Commission
NAHA	(Cranston-Gonzalez) National Affordable Housing Act
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
PBC	Project-Based Certificate (program)
QHWRA	Quality Housing and Work Responsibility Act of 1998
PHA	Public Housing Agency
TTP	Total Tenant Payment

ORGANIZATIONAL STRUCTURE AND PROGRAM OPERATIONS

The Section 8 Program as administered by MHC has one Occupancy Specialist to administer the program part time. The person assigned to oversee all contracts and operations will be the Executive Director and is the final signature required on all contracts.

The existing Public housing staff will be utilized for the Section 8 Program. The following is a summary of the staff responsibilities. All positions are currently filled.

- a. Occupancy Specialist- This individual is generally responsible for the day to day administration of the Section 8 Housing Assistance Program. This individual reports directly to the Executive Director.
- b. Additional staffing support is provided by the administrative staff of the Housing Commission. Allocation of administrative staff time by positions are listed in the operating budget. Actual peroration's may vary from year to year as submitted in the Marquette Housing Commission's Section 8 Operating Budget.

MHC has a total Annual Contributions Contract (ACC) for fifty (50) units in its existing program. This is overseen by the Department of Housing and Urban Development's Grand Rapids Field Office which holds scheduled audits on fiscal matters, program performance and compliance.

v M1 070 S1

P 5 of 8

Capital Fund Program Five-Year Action Plan Part I: Summary

PHA Name		Original 5-Year Plan		Revision No:	
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: PHA FY: 2002	Work Statement for Year 3 FFY Grant: PHA FY: 2003	Work Statement for Year 4 FFY Grant: PHA FY: 2004	Work Statement for Year 5 FFY Grant: PHA FY: 2005
HA-WIDE	Amount Statement	25,000 > 105,000 80,000	25,000 > 100,000 75,000	25,000 > 95,000 70,000	25,000 > 90,000 65,000
070-01		122,936	157,936	142,506	142,506
070-02		280,000	250,000	270,480	275,430
Total CFP Funds (Est.)		507,936	507,936	507,936	507,936
Total Replacement Housing Factor Funds		N/A	N/A	N/A	N/A

CIAP Budget /Progress Report
Part I: Summary
 Comprehensive Improvement Assistance Program (CIAP)

Y H1 070 S1 P. 6 of 8
 U.S. Department of Housing
 and Urban Development
 Office of Public and Indian Housing

OMB Approval No. 2577-0044
 (exp. 04/30/2004)

HA Name

Marquette Housing Commission

Modernization Project Number

M135 P07070799

FY (YYYY) of Grant Approval

1999

☐ Original CIAP Budget ☐ Revised CIAP Budget/Revision Number ☒ Progress Report for Period Ending (mm/dd/yyyy) *3/30/01* ☐ Final Progress Report

Line No	Summary by Development Account	Original	Total Funds Approved	Revised	Obligated	Total Funds	Expended
1	Total Non-CIAP Funds						
2	1406 Operations (may not exceed 10% of line 16)						
3	1408 Management Improvements	<i>92,000</i>		<i>92,000</i>	<i>92,000</i>		<i>92,000.00</i>
4	1410 Administration	<i>11,000</i>		<i>11,200</i>	<i>11,200</i>		<i>11,094.56</i>
5	1415 Liquidated Damages						
6	1430 Fees and Costs	<i>24,000</i>		<i>24,551</i>	<i>24,551</i>		<i>22,550.60</i>
7	1440 Site Acquisition						
8	1450 Site Improvement						
9	1460 Dwelling Structures	<i>328,213</i>		<i>327,462</i>	<i>327,462</i>		<i>160,115.57</i>
10	1465.1 Dwelling Equipment—Nonexpendable						
11	1470 Nondwelling Structures						
12	1475 Nondwelling Equipment						
13	1485 Demolition						
14	1495.1 Relocation Cost						
15	1498 Mod Used for Development						
16	Amount of CIAP Grant (Sum of lines 2-14)	<i>455,213</i>		<i>455,213</i>	<i>455,213.00</i>		<i>285,760.73</i>
17	Amount of line 16 Related to LBP Activities						
18	Amount of line 16 Related to Security						
19	Amount of line 16 Related to Section 504 Compliance						
20	Amount of line 16 related to Energy Conservation Measures	<i>290,904</i>		<i>290,904</i>	<i>290,904</i>		<i>290,904</i>

Signature of Executive Director

Bonnie J. Peltz

Date (mm/dd/yyyy)

5/31/01

HUD Certification: In approving this budget and providing assistance to a specific housing development(s), I hereby certify that the assistance will not be more than is necessary to make the assisted activity feasible after taking into account assistance from other government sources (24 CFR 12.50).

Signature of Director, Office of Public Housing / ONAP Administrator

Date (mm/dd/yyyy)

CIAP Budget /Progress Report
Part II: Supporting Pages
Comprehensive Improvement Assistance Program (CIAP)

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

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OMB Approval No. 2577-0044
(exp. 04/30/2004)

Develop ment Number	Description of Work Items	Development Account Number	Funds Approved			Funds Obligated	Funds Expended
			Original	Revised	Difference		
HA-WIDE	MANAGEMENT IMPROVEMENTS YOUTH & FAMILY CENTER AND DAY CARE CENTER	1408	92,000	92,000.00	0	92,000.00	92,000
HA-WIDE	ADMINISTRATION	1410	11,000	11,200.00	200	11,200.00	11,094.56
HA-WIDE	A V E	1410	24,000	24,551.00	21,551	22,550.00	22,550.00
TO-1	UPGRADE BATHROOMS	1460	266,904	295,111.23	9690.08	285,421.15	208,365.21
TO-2	INSTALL CLOTHESLINES	1460	24,000	0	0	0	0
	INSTALL INTERIOR DOORS	1460	37,509	32,350.77	(4158.23)	32,350.77	32,350.77
			455,213	455,213	29,482.85	443,522.52	366,361.14

**U.S. Department of Housing
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**U.S. Department of Housing
and Urban Development**
Office of Public and Indian Housing

CIAP Budget /Progress Report
Part III: Implementation Schedule
 Comprehensive Improvement Assistance Program (CIAP)

	All Funds Obligated			All Funds Expended		
	Original	Revised (Attach explanation)	Actual	Original	Revised (Attach explanation)	Actual
3/1/2002	5/1/2001	No Change	5/12002			

mi070t01
RESIDENT ADVISORY BOARDS

PINE RIDGE APARTMENTS 070-001 (elderly/disabled site)

Jill Matta, 715	Elaine Wendling, 207
Michelle Schultz, 907	Ruth Hintz, 810
David Dobson, 802	Lauren Reichel, 508
Betty Michael, 108	Connie Belmore, 103
Gertrude Peterson, 706	Mary Beaudette, 307
Sue Burdick, 609	Barb Cass, 408
Ray Beaudette, 307	Mildred Carr, 408
Elsie Jandron, 206	Carol Fortin, 507
Jerry Jarvis, 418	Mary Jane Allaback, 717
Agnes McManus, 910	Sharon Talso, 107
Anne Menze, 215	Gloria Perron, 208
Don Burdick, 815	Ross Smith, 416
Janel Kirby, 607	

LAKE SUPERIOR VILLAGE 070-002 (family site)

Gloria (GiGi) Peterson, 500 Wright Street
Judy James and Betsy Harper, 112 Dobson Place
Lori Henderson, 119 Dobson Place
Dorothy Fraley, 510 Wright Street

V.M.F. 070
ATTACHMENT D-1
AGENCY'S PROGRESS IN MEETING OVERALL GOALS
April 6, 2001

<u>PLANS/ID</u>	<u>STATUS</u>
PINE RIDGE.	
Security System: Alarm System	Architect contract awarded November 25, 2000; plans and specifications are being written. Pre bid walk through scheduled for May 1, 2001, bid deadline May 15, 2001; Contract award May 22, 2001
New Closets Doors	Considering these items as a future improvements
LAKESIDE CHURCH VETERANS	
Install Storage Kiosk	Rather than just do storage sheds, we are exercising our ability to use funds by by combining planned work for decommissioning five years. We are replacing storage sheds with garbage collection, roof of shed shed, installing overheads, creating patios, replacing siding, putting in new porch lights; providing a seasonal roof and new front and rear entrance. An architect was selected Nov. 28, 2000; meetings held with residents in preparation of plans/specs, project is being held the last week of April, 2001, with a pre bid walk through May 1, bid deadline May 15 and award May 22
FLA. RT/VE	
Management Improvements	LA is funding for our Young and Family Center and our Day Care Center. Both are fully operational.
Age 17	Held on October 15, 2000, proposed deadline was November 15, 2000, contract awarded at regular November 28, 2000 board meeting, contract executed November 30, 2000

mi070w01

DESCRIPTION OF PET POLICY

April 6, 2001

The Marquette Housing Commission adopted a Pet Policy (Resolution 237) for family housing September 26, 2000, and notified all residents via our monthly newsletter. Many residents immediately secured pets and/or brought their existing pets into compliance with the policy. It became evident that the policy needed to be fine-tuned to clear up some ambiguities. After consultation with the Advisory Boards and staff, March 27, 2001, a revised Pet Policy was adopted by the Board of Commissioners.

Our policy covers the following provisions:

- Requirement of a Pet Deposit, return of such after move out
- What pets, size, type, and how many of each a resident may have
- Innoculation requirements
- Registration requirements
- Flea collar or flea prevention requirements
- Clean up of animal waste and costs passed on to resident
- Leash requirements
- Where pets may be taken or kept
- If pet poses a nuisance, what then?
- Damages caused by pet
- Responsibility of resident for pet ownership, liability
- Spaying/neutering of pets
- Who, in the resident's absence, will be responsible for the pet

Disclosure of Lobbying Activities

Approved by OMB 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse side for Instructions and Public Reporting burden statement)

1. Type of Federal Action <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only year (yyyy) _____ quarter _____ date of last report (mm/dd/yyyy) _____
4. Name and Address of Reporting Entity <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: MARQUETTE HOUSING COMMISSION 316 PINE STREET MARQUETTE, MI 49855 Congressional District, if known _____		5. If Reporting Entity in No. 4 is Subawardee, enter Name and Address of Prime Congressional District, if known _____
6. Federal Department/Agency US DEPT. OF HOUSING & URBAN DEV.		7. Federal Program Name/Description CFDA Number, if applicable _____
8. Federal Action Number, if known CAPITAL FUND, OPERATING FUND		9. Award Amount, if known \$ _____
10a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI) NONE		b. Individuals Performing Services (including address if different from No. 10a.) (last name, first name, MI)
(attach continuation sheet(s) if necessary)		
11. Amount of Payment (check all that apply) \$ _____ <input checked="" type="checkbox"/> actual <input checked="" type="checkbox"/> planned	13. Type of Payment (check all that apply) N/A <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other (specify) _____	
12. Form of Payment (check all that apply) N/A <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____		
14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11 NONE		
(attach continuation sheet(s) if necessary)		
15. Continuation sheets attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
16. Information requested through this form is authorized by Sec. 319, Pub. L. 101-121, 103 Stat. 750, as amended by sec. 10; Pub. L. 104-65, Stat. 700 (31 U.S.C. 1352). This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		
Signature <u>Bonnie J. Pelto</u> Print Name <u>BONNIE J. PELTO</u> Title <u>EXECUTIVE DIRECTOR</u> Telephone No. <u>906/226-7559</u> Date (mm/dd/yyyy) <u>6/7/01</u>		Federal Use Only: _____ Authorized for Local Reproduction Standard Form-LLL (7/97)